Comment Summary and Responses – Upper Santa Clara River Chloride TMDL

Comments Due Date: June 19, 2006

1. Ron Bottorff, Friends of the Santa Clara River - (Friends)
2. Jim Churchill, Farmer in Ventura County - (Churchill)
3. Dan Masnada, Castaic Lake Water Agency - (CLWA)
4. Joy Adelson, Resident of Canyon County – (Adelson)
5. Corinne Malinka, Resident of Canyon County - (Malinka)
6. Robert J. O'Neill, Resident of Santa Clarita - (O'Neill)
7. Robert J. DiPrimio/tr, Valencia Water Company - (Valencia)
8. Kathy Long, Board of Supervisors, County of Ventura - (Long)
9. Robert P. Roy and Rex Laird, Ventura County Agricultural Water Quality Coalition - (Coalition)
10. Stephen L. Cole, Newhall County Water District - (NCWD)
11. Dean Stroud, County of Los Angeles Sheriff's Department Headquarters - (Stroud)
12. Howard Smith, Ventura County Economic Development Association - (VCEDA)
13. Tom Bellamore, California Avocado Commission - (Commission)
14. Samuel G. Mayhew, Oxnard Lemon Company - (Oxnard Lemon Co.)
15. Laurene Weste, City of Santa Clarita - (Santa Clarita)
16. James Lioyd-Butler, James Lloyd-Butler Family Partnership, Resident of Saticoy - (Lloyd-Butler)
17. Dana Wisehart, United Water Conservation District - (UWCD)
18. Carl Goldman, Santa Clarita Radio Station KHTS AM-1220 - (Goldman)
19. Samuel A. McIntyre, Somis Pacific Agricultural Management Incorporated - (McIntyre)
20. Don Reeder, Somis Pacific Agricultural Management Incorporated - (Reeder)
21. Matthew W. Freeman, Camulos Ranch - (Camulos)

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22. Michael P. Conroy, Conroy Farms, Inc. - (Conroy)
23. Mark Grey, Construction Industry Coalition on Water Quality - (CICWQ)
24. Matt Carpenter, Newhall Land & Farming Company - (Newhall)
25. George Runner, California State Senator - (Runner)
26. Victoria O. Conway, County Sanitation Districts of Los Angeles County - (District)
27. Harry Manfredini, Resident of Valencia - (Manfredini)
28. Mark Kashay, Resident of Canyon Country - (Kashay)
29. Janice Murray, Resident of Santa Clarita - (Murray)
30. Eva Camenoon, Resident of Canyon Country - (Camenoon)
31. Mary O'Brien, Resident of Valencia - (O'Brien)
32. Michael Jaffe, Resident of Valencia - (Jaffe)
33. Cary VanAusdall, Resident of Canyon Country - (VanAusdall)
34. Jill Happer, Resident of Canyon Country - (Happer)
35. Thomas Bradley, Resident of Newhall - (Bradley)
36. Jason Smisko, Resident of Valencia - (Smisko)
37. Curtis Williams, Resident of Santa Clarita - (Williams)
38. Chris Palmieri, Resident of Valencia - (Palmieri)
39. Cathy Kaneshin, Resident of Valencia - (Kaneshin)
40. Margaret A. Curtin, Resident of Valencia - (Curtin)
41. Michael Dowler, Resident of Santa Clarita - (Dowler)

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1.1	Friends	6/12/06	We are experiencing an ominous increase in chloride concentrations in the eastern Piru basin of the Santa Clara River. This correlates quite well time-wise with the increase in chlorides at the county line, which is in turn caused by the very large chloride loadings now being discharged into the River by the Saugus and Valencia Water Treatment Plant. … What is even more disturbing is the trend is steadily upwards with no apparent end in sight.	Regional Board staff noted the increase in chloride concentrations in the eastern Piru Basin. The impact of chloride loadings from the WRPs will be further examined by the GSWI study and will be a factor in decision making as TMDL implementation continues.
1.2	Friends	6/12/06	The current schedule is unreasonable in view of rapids increase in chlorides in the Piru Basin and the known impacts of chlorides on avocado, strawberry and nursery crops being grown in Ventura County's Santa Clara River Valley. Chloride levels above 100 mg/l can compromise yields and/or impair fruit quality.	Regional Board staff agrees and an alternative that accelerates the current schedule is proposed.
1.3	Friends	6/12/06	Continuing to study the chloride problem while doing nothing towards implementation of chloride load reduction is putting at risk a very significant portion of the agricultural industry in the Valley.	Regional Board staff agrees and an alternative that accelerates the current schedule is proposed.
1.4	Friends	6/12/06	The Aquatic Life Report prepared as part of the TMDL Collaborative Process uses flawed logic in basin conclusion regarding Santa Clara River sensitive species on chloride effects on eastern United States	The Report will be subject to review by the Technical Advisory Panel and public review and comment.

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			taxa and on species that occupy estuaries where high salinities are the norm. Further studies are needed to substantiate impacts to sensitive species.	
1.5	Friends	6/12/06	Alternative 4 represents a great improvement over the current TMDL schedule but still is not adequately protective of Ventura County agriculture. Friends would urge, based on the demonstrated rapid increase in chloride levels in the Piru basin, that planning and design tasks for advanced treatment facilities begin now.	Regional Board staff noted the need to accelerate the current TMDL schedule. Alternative 4 is proposed considering current progress of the TMDL. Planning and design tasks for advanced treatment, if found necessary, will begin after all studies are completed.
1.6	Friends	6/12/06	The chloride trend in the Piru basin is unequivocally clear and indicates a dangerous level of chlorides not only already exists but will get significantly worse before advanced treatment is implemented even if design activities are commenced immediately.	Regional Board staff noted the increase in chloride concentrations in the eastern Piru River. The impact of chloride loadings from the WRPs will be further examined by the GSWI study.
1.7	Friends	6/12/06	The Staff Report argues, and we concur, that prevention of groundwater pollution is far less expensive than remediation of groundwater pollution.	Comments noted.
1.8	Friends	6/12/06	We strongly urge that an accelerated TMDL Implementation Plan that cuts the current WQO attainment time by at least half should be developed and adopted.	Alternative 4 is proposed considering present results and progress of the studies. The TMDL proposed 8 years for the planning, design, and construction of advanced treatment. The duration of 8 years is consistent with the schedule

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				provided by MWH, who developed cost estimates for the advanced treatment.
2	Churchill	6/7/06	I urge the Board develop and adopt an accelerated TMDL Implementation Plan that cuts the current WQO attainment time by at least half.	See response to comments 1.8.
3.1	CLWA	6/12/06	CLWA would instead encourage the Board to continue on the current schedule for meeting the chloride water quality objective. Full understanding of both the impacts and the sources of chlorides in the relevant reaches of the Santa Clara River have yet to be determined.	The proposed TMDL schedule is based on study results to date and progress of the studies. The LRE establishes a guideline range of 100-117 mg/L chloride for salt-sensitive agricultural uses. Staff finds that advanced treatment most likely will be needed to improve the effluent chloride concentration and consistently meet the guideline range established by the LRE. In the proposed schedule the TMDL planning and implementation tasks are triggered based on the results of the LRE and GSWI studies. The proposed schedule did not require building a new treatment plant before all studies are completed.
3.2	CLWA	6/12/06	The collaborative process needs more time to complete studies to analyze agricultural impacts and to model the hydrological and chemical processes that govern chloride concentration in the river at the relevant locations. Efforts currently underway in the upper basin to reduce the level of chloride in	Staff agrees that more time is need for the GSWI study and recommend extending the completion time. Staff finds that pollution prevention alone can not consistently attain the LRE threshold and that advanced treatment will likely be necessary.

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			treated wastewater effluent have shown consistent progress. Additional time is needed to determine if the reduction in chloride can continue to the point that the effluent will be low in enough in chlorides to meet water quality objectives without capital-intensive retrofits to existing Publicly Owned Treatment Works.	
3.3	CLWA	6/12/06	The additional three years permitted by the existing TMDL schedule are critical; therefore, to determine if any form of advanced treatment is really necessary to meet the water quality objectives and to avoid any serious economic or environmental harm. Given the potential cost to ratepayers of advanced treatment, surety is a prerequisite for such a retrofit of the POTW.	See response to comments 3.1.
4	Adelson	6/13/06	A year ago, we removed our automatic water softener to keep salt & chloride for going into the Santa Clara River. It is important to keep our rivers clean so that we maintain a healthy environment and we can enjoy the rivers.	Comments noted.
5	Malinka	6/13/06	We are working hard and should not be forced to move faster than the previously agreed time frame.	The proposed TMDL schedule is based on study results to date and progress of the studies. The proposed TMDL schedule can reduce chloride loading to surface and groundwater and reduce the risk of schedule delay.

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6	O'Neill	6/13/06	I saw the love canal disaster at Niagara Falls, NY. The cost and 20 years to clean up the problem was staggering. Let all of us prevent another problem for happening here in L.A. County.	Comments noted.
7.1	Valencia	6/14/06	Full understanding of both the impacts and the sources of chlorides in the relevant reaches of the Santa Clara River have yet to be determined. The collaborative process that has been established between the stakeholders needs more time to complete studies to analyze agricultural impacts and to model the hydrological and chemical processes that govern chloride concentrations in the river at the relevant locations.	Staff agrees that more time is need for the GSWI study and extended the completion time. The LRE presents critical information for determining the appropriate chloride threshold for the protection of salt-sensitive agricultural uses and a lengthy extended study is not proposed.
7.2	Valencia	6/14/06	Efforts currently underway in the upper basin to reduce the level of chloride in treated wastewater effluent have shown consistent progress. Additional time is needed to determine if the reduction in chloride can continue to the point that the effluent will be low enough in chlorides to meet water quality objectives without capital intensive retrofits to existing Publicly Owned Treatment Works.	The proposed accelerated schedule does not undermine source control efforts. The proposed schedule did not require building a new treatment plant before all studies are completed. There is no finding that advanced treatment is necessary at this time.
7.3	Valencia	6/14/06	The additional three years permitted by the existing TMDL schedule are critical; therefore, to determine if any form of advanced treatment is really necessary to	See response to comments 3.1.

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			meet the water quality objectives and to avoid any serious economic or environmental harm. Given the potential cost to ratepayers of advanced treatment, surety is a prerequisite for such a retrofit of the Publicly Owned Treatment Works.	
7.4	Valencia	6/14/06	We understand the concerns of agricultural users of river water and share the desire for a timely resolution of impacts to productivity. Valencia is committed to working with all of the stakeholders to discover any solutions that can be implemented in a timely and effective manner.	Comments noted.
8.1	Long	6/16/06	I have a great interest in protecting the environmental and economic health of the region. The environmental health of the Santa Clara River Valley is crucial to sustaining the economic engine of agriculture in Ventura County.	Comments noted.
8.2	Long	6/16/06	High chloride content wastewater discharges form the Saugus and Valencia Water Reclamation Plants (WRPs) will, ultimately, impact both the environmental and economic benefits of chloride-sensitive agriculture in our communities. The prevention of groundwater pollution is far less expensive than remediation of groundwater pollution.	Staff agrees.
8.3	Long	6/16/06	I strongly support the acceleration of the	Comments noted.

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			TMDL implementation schedule (Alternative 4) and the addition of specific milestones to provide measurable outcomes.	
9.1	Coalition	6/16/06	The Coalition is in favor of Alternative 4. It will positively impact the agricultural stakeholders. By also including implementation milestones, task objectives and deliverables will be made clear. The Coalition also strongly supports the acceleration of the TMDL schedule from 13 to 10 years because it will help establish the WQO for chloride sooner than first anticipated.	Comments noted.
9.2	Coalition	6/16/06	One of the Coalition's main concerns is the increase in salt loading due to population growth that may cause further degradation to USCR. While the contribution of chloride from residential self-regenerating water softeners (SRWS) has declined, chloride loading from non-SRWS residential sources has been increasing.	Comments noted.
9.3	Coalition	6/16/06	We fully support the inclusion of milestones for the implementation plan. However, in order to achieve the milestones in a timely manner, there should be a specific system which tracks the annual progress made toward each milestone. Penalties for failure to make progress should be explicitly set forth in the TMDL Implementation Plan.	It may not be necessary to track annually for large milestones. If the District fails to submit any report required by due date, the Executive Officer may issue a complaint containing penalties in accordance with the Porter Cologne Water Quality Act.
9.4	Coalition	6/16/06	The Coalition opposes Alternative 3 to carry	Comments noted.

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			out the extended agricultural studies and to prolong the implementation schedule by at least eight more years.	
9.5	Coalition	6/16/06	We are also aware that the Sanitation District proposes to amend Senate Bill No. 475 (May 30, 2006) to require removal of the estimated 6,500 residential self-regenerating water softeners remaining in the Santa Clara Valley that were "grand-fathered" under the 2003 Ordinance that banned all future water softeners. The Coalition supports such action but not as a means to either prolong or avoid installation of advanced treatment systems.	Comments noted.
9.6	Coalition	6/16/06	The chloride TMDL issue has been under consideration for years while chloride impairment has continued and increased. Evidence of such degradation is now evident in groundwater wells in eastern Piru beyond the Blue Cut. Any additional delay in action only further degrades the water quality and adversely impacts the agricultural beneficial use.	Comments noted.
10	NCWD	6/16/06	NCWD believes that it would be premature to change the implementation schedule prior to the completion of certain ongoing studies being conducted as part of the Upper Santa Clara River Chloride Collaborative Process. The completion of the studies should provide a sound foundation for determining	The proposed amendment changes the implementation schedule based on study results to date and status of the other TMDL studies. In the proposed schedule the TMDL planning and implementation tasks are triggered based on the results of the LRE and GSWI studies. The proposed

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			if advanced treatment is ultimately necessary. We believe valuable information still needs to be collected prior to developing the overall solution.	schedule did not require building a new treatment plant before all studies are completed.
11.1	Stroud	6/16/06	As the operator of the Peter J. Pitchess Detention Center in Santa Clarita and a major waste water discharge to the Sanitation District's sewerage system, this water quality issue has the possibility of severely impacting the Department's operating budget.	Higher sewer and connection fees will not be anticipated until advanced treatment is determined necessary by all studies. The sewerage fees in the Santa Clarita Valley are below the state median and average monthly sewerage rates. Staff estimates a present value cost for advanced treatment (including brine line construction but not including the cost of an ocean outfall) of approximately $40 to $70 million. This cost could be absorbed by the SCVJSS ratepayers without raising the monthly sewerage fees beyond the state average monthly fee.
11.2	Stroud	6/16/06	To avoid premature and costly upgrades, the District and other stake holders should be given enough time to complete the studies and to continue public outreach efforts to reduce chloride loads from the residential use of automotive water softeners.	See Response to comments 3.1. Staff agrees that more time is need for the GSWI study and has recommended extending its completion time. Staff finds that pollution prevention alone can not consistently attain the LRE threshold and that advanced treatment will likely be necessary.
12.1	VCEDA	6-16-06	We are concerned over the degradation of Santa Clara River water and groundwater	Comments noted.

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			supplies in the region. We believe it is time to act to reverse this declining quality in order to preserve these environmental and economic benefits for the region.	
12.2	VCEDA	6-16-06	We would like to register our strong support for Alternative 4 of the Upper Santa Clara River Chloride TMDL Implementation Plan.	Comments noted.
12.3	VCEDA	6-16-06	Continuing to study this problem is counterproductive and risks furthering damaging the agricultural economy and the environment.	Comments noted.
12.4	VCEDA	6-16-06	The impacts of chloride salts upon crops has been amply studied-not for decades-but for thousand so years.	Comments noted.
12.5	VCEDA	6-16-06	The Los Angeles County Sanitation Districts attempt to shirk their responsibility to clean discharges into the Santa Clara River by changing the water quality standards is nothing less than a declaration of war, not only upon the farmers and growers here, but upon the entire populous of Ventura County that deems its open space, quality of life and agricultural lands an inherent part of our identity and a vital element of our economy. The time to act is now.	Comments noted.
13.1	Commission	6-16-06	The Commission understands the Board's role in protecting regional water quality and we strongly believe that without a revised, shortened TMDL Implementation Plan, water quality degradation will continue,	Comments noted.

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			resulting in permanent displacement of local agriculture.	
13.2	Commission	6-16-06	We strongly support Alternative 4 provided in the "Staff Report and Recommendations: which would revise the TMDL schedule, establish Implementation milestones and accelerate the overall TMDL schedule from 13 to 10 years.	Comments noted.
13.3	Commission	6-16-06	The Commission continues to firmly believe that 100 mg/l chloride is a reasonable upper limit for chloride for the Santa Clara River based on all the scientific evidence presented to the Board over the last several years, historic use of this water for avocado irrigation in the region, and the experiences of local growers and University extension specialists.	Comments noted.
13.4	Commission	6-16-06	The Commission vehemently opposes Alternative 3, which would provide for extended agricultural studies resulting in prolonging of the implementation schedule by at least eight years.	Comments noted.
13.5	Commission	6-16-06	Our contention remains that further studies may in fact show that further reductions in allowable chloride levels are warranted. So for the production salt-sensitive crops like avocado we see no reason to believe chloride levels are higher than the existing water quality objective of 100 mg/l are reasonable.	Comments noted.

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14.1	Oxnard Lemon Co.	6-16-06	Our livelihood, quality of life and the economic well being of the region depends on an adequate supply of high quality water	Comments noted.
14.2	Oxnard Lemon Co.	6-16-06	We have grown increasingly concerned over the degradation of water quality (particularly chloride levels) in the Santa Clara River and groundwater in the basin. We believe it is time to act decisively to reverse this declining quality in order to preserve these benefits for the region.	Comments noted.
14.3	Oxnard Lemon Co.	6-16-06	I would like to register my strong support for Alternative 4 which would revise the TMDL schedule. The time to act is now.	Comments noted.
15.1	Santa Clarita	6-16-06	The City would also like to request that the comment period for this Item be extended due to the meeting being rescheduled for July 13th to August 3rd.	The board hearing for the proposed amendment on August 3, 2006 is a continuation from the July 13, 2006 meeting. The existing comment period is of standard duration and in accordance with Board policy.
15.2	Santa Clarita	6-16-06	The LRE repeated noted there was not enough scientific evidence to propose absolute thresholds for avocados, strawberries, and nursery crops. At best, the LRE established a “range” of 100 mg/L to 117 mg/L where leaf injury occurs in avocados. No limit was found for strawberries or nursery crops, It is important to note that this range does not conclude there will be any effect to avocado crop	Leaf-tip burn is an import sign of plant injury that may adversely affect the yield. The studies on relationship between leaf tip burn and chloride levels were conducted because of the theoretical relationship between leaf tip burn and yield decrease. It is prudent to establish water quality standards at levels of water quality better than those that create beneficial use

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			yields or lead to any crop reduction.	impairments.
15.3	Santa Clarita	6-16-06	It is the City's understanding that production yields of avocado crops in Ventura County have actually increased since 1980. Though this increased production can be attributed to improved farming techniques, it also suggests that crop yield has not been adversely impacted, nor has there been an economic impact directly attributed to chloride levels.	The lack of a yield decrease over years does not preclude the possibility of chloride injury to crops. It is possible that yield decrease by chloride injury may be offset by improved agricultural practice. For example, the avocado yield in Israel has increased from 4.7 ton/Ha in 1961 to 11.2 ton/Ha in 2005, while at the same period the avocado yield in USA (mainly in California) has only increased from 4.9 ton/Ha to 7.7 ton/Ha.
15.4	Santa Clarita	6-16-06	The City feels the GSWI study, once completed, will provide critical information regarding the assimilative capacity of the Upper Santa Clara River and may answer questions regarding appropriate chloride limits.	Staff agrees.
15.5	Santa Clarita	6-16-06	It should be noted that the rare and endangered species report is essentially complete, with the project report about to be finalized pending refinement of certain language from a Technical Advisory Panel. It is the City's opinion that no species in this report were adversely affected by chloride levels less than 230 mg/L, the back-stop upper limit of chloride allowed in the Chloride TMDL.	Comments noted.
15.6	Santa Clarita	6-16-06	It is only reasonable to allow for the proper	See response to comments 3.1.

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			completion of the scientific studies and not shorten the timeframe and, therefore, compromise the integrity of the studies. It is the City's opinion that significant scientific uncertainty remains with this issue and that the information we have gained would not justify an amendment to the implementation schedule at this time.	Staff agrees that more time is need for the GSWI study and extended its completion time.
15.7	Santa Clarita	6-16-06	The Sanitation Districts have informed us it would cost approximately $350 million to put in advanced treatment in order to meet a 100 mg/L limit in their discharges to the river. What the Regional Board fails to realize is that our residents are subject to numerous fee and tax increases, and that the impacts of any new fee increase need to be viewed in a broader context.	See response to comments 11.1.
15.8	Santa Clarita	6-16-06	The City of Santa Clarita urges the Regional Board to approve Alternative 1 and "Maintain the Current TMDL Schedule".	Staff proposes Alternative 4 based on staff's analysis.
16.1	Lloyd-Butler	6/19/06	If the surface and groundwater is allowed to continue to decline, we can imagine the day when agriculture either cannot exist in our county or the crops we grow cannot continue to be grown. This is not acceptable or consistent with the Clean Water Act.	Comments noted.
16.2	Lloyd-Butler	6/19/06	I believe it is time to act decisively to reverse the declining quality of water in order to preserve not only agriculture but	Comments noted.

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			also the quality of life in our region.	
16.3	Lloyd-Butler	6/19/06	I am registering my strong support for Alternative 4 which would revise the TMDL schedule. The time to act is now! Any additional delay in action only further degrades the water quality and adversely impacts the agricultural beneficial use.	Comments noted.
17.1	UWCD	6/19/06	UWCD agrees with the recommendation of the Regional Board staff to support Alternative 4.	Comments noted.
17.2	UWCD	6/19/06	UWCD believes that the Water Quality Objective for chloride in the eastern Piru Basin groundwater needs to be revised downward to 100 mg/L to reflect actual conditions in the basin in the past and to help prevent degradation of the basin. The chloride Objective was set at 200 mg/L, which reflected the two-decade period during the brine discharges but did not reflect the ambient water quality that existed at the time (and for some time after the Objective was set). It certainly appears that the Chloride Objective for the eastern Piru Basin should have been set at the ambient water quality of 100 mg/L or less. Instead, it is set at the already-degraded water quality of 200 mg/L. We recommend that this inconsistency be corrected by re-evaluating the Water Quality Objective for chloride in the eastern Piru Basin as soon as possible.	Staff noted that the current chloride Objective of 200 mg/L was set due to historical brine discharge contamination. With time the chloride concentration in the eastern Piru Basin has dropped since the brine discharge stopped. A new chloride objective for the eastern Piru Basin may need to be considered to ensure protection of the Piru Basin against degradation from upstream sources. Staff will discuss this alternative as well as how and when it might be considered at the hearing on August 3, 2005.

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18.1	Goldman	6/18/06	I am in support of the Santa Clarita Valley Sanitation District's current plan to conduct scientific studies to determine an appropriate water quality standard for chloride to protect the use of the Santa Clara River. The requirements for the wastewater treatment plants to discharge to the river should not be finalized before these studies are completed. The District needs enough time to complete the studies and to continue public outreach efforts to reduce chloride loads from the residential use of automatic water softeners.	See response to comments 3.1. Staff agrees that the requirements for the wastewater treatment plants to discharge to the river is not finalized at present. Staff agrees that more time is need for the GSWI study and extended its completion time. Staff finds that pollution prevention alone can not consistently attain the LRE threshold and that advanced treatment will likely be necessary.
18.2	Goldman	6/18/06	I urge the Regional Water Board to not change the existing implementation schedule for the Upper Santa Clara River Chloride TMDL and support Alternative 1- "No Action."	Staff disagrees.
19.1	McIntyre	6/19/06	Our livelihood, quality of life and the economic well being of the region depends on an adequate supply of high quality water	Comments noted.
19.2	McIntyre	6/19/06	We have grown increasingly concerned over the degradation of water quality (particularly chloride levels) in the Santa Clara River and groundwater in the basin. We believe it is time to act decisively to reverse this declining quality in order to preserve these benefits for the region.	Comments noted.
19.3	McIntyre	6/19/06	I would like to register my strong support for Alternative 4 which would revise the TMDL	Comments noted.

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			schedule. The time to act is now.	
20.1	Reeder	6/19/06	Our livelihood, quality of life and the economic well being of the region depends on an adequate supply of high quality water	Comments noted.
20.2	Reeder	6/19/06	We have grown increasingly concerned over the degradation of water quality (particularly chloride levels) in the Santa Clara River and groundwater in the basin. We believe it is time to act decisively to reverse this declining quality in order to preserve these benefits for the region.	Comments noted.
20.3	Reeder	6/19/06	I would like to register my strong support for Alternative 4 which would revise the TMDL schedule. The time to act is now.	Comments noted.
21.1	Camulos	6/19/06	Our livelihood, quality of life and the economic well being of the region depends on an adequate supply of high quality water	Comments noted.
21.2	Camulos	6/19/06	We have grown increasingly concerned over the degradation of water quality (particularly chloride levels) in the Santa Clara River and groundwater in the basin. Without action it is not hard to imagine a day where agriculture either cannot exist in this area or, the crops we have grown can no longer be grown due to water quality degradation.	Comments noted.
21.3	Camulos	6/19/06	Camulos Ranch is also concerned about the number of waters wells being drilled (estimated between 15-20 wells) upstream of Camulos Ranch by Newhall Land in	Regional Board asked the GSWI study to include data from these wells. If necessary, the executive officer may issue letter based on section 13267 of the Water

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			preparation for their proposed 70,000 person development.	Code and request more information.
21.4	Camulos	6/19/06	We believe it is time to act decisively to reverse this declining quality in order to preserve these benefits for the region.	Comments noted.
21.5	Camulos	6/19/06	We would like to register our strong support for Alternative 4. The time to act is not. Any additional delay in action only further degrades the water quality and adversely impacts the agricultural beneficial use.	Comments noted.
22.1	Conroy	6/19/06	Our livelihood, quality of life and the economic well being of the region depends on an adequate supply of high quality water	Comments noted.
22.2	Conroy	6/19/06	We have grown increasingly concerned over the degradation of water quality (particularly chloride levels) in the Santa Clara River and groundwater in the basin. We believe it is time to act decisively to reverse this declining quality in order to preserve these benefits for the region.	Comments noted.
22.3	Conroy	6/19/06	I would like to register my strong support for Alternative 4 which would revise the TMDL schedule. The time to act is now.	Comments noted.
23.1	CICWQ	6/19/06	California Water Code section l324l(b) requires water quality regulators to consider "the environmental characteristics of the hydrologic unit at issue, including the quality of water available thereto" whenever establishing water quality objectives and beneficial uses. To our knowledge,	Staff disagrees. Staff analyzed environmental characteristics of the Santa Clara River in the Staff Report.

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			however, the Board has never undertaken any meaningful study of the environmental characteristics of the Santa Clara River (e.g., natural loadings and the quality of water available thereto). In light of this failure, the regulated community should be afforded sufficient time to study and report concerning the relevant facts.	
23.2	CICWQ	6/19/06	The requirements for the wastewater treatment plants that discharge to the river should not be finalized before these studies are completed. To avoid premature and costly upgrades, as well as to allow appropriately informed regulation, the stakeholders should be given enough time to complete the scientific studies, while continuing public outreach efforts to reduce chloride loads from the residential use of automatic water softeners.	See response to comments 3.1. The proposed TMDL amendment did not finalize the requirements for advanced treatment. Staff agrees that more time is need for the GSWI study and extended its completion time.
23.3	CICWQ	6/19/06	A decision to accelerate the timetable for compliance with the chloride standard by the treatment plants prior to completion of the studies would place an unfair burden on the residents of the Santa Clarita Valley, most likely resulting in high sewer and connection fees. This, in turn, would run contrary to the State's legislative policies concerning the affordability of housing generally.	The impact of proposed schedule was analyzed in the Staff Report. The sewerage fees in the Santa Clarita Valley are below the state median and average monthly sewerage rates. Staff estimates a present value cost for advanced treatment (including brine line construction but not including the cost of an ocean outfall) of approximately $40 to $70 million. This cost could be absorbed by the SCVJSS ratepayers without raising the monthly

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				sewerage fees beyond the state average monthly fee. The impact on affordability of housing is expected not significant.
23.4	CICWQ	6/19/06	On behalf of CICWQ, BIAJSC and BILD, I respectfully request that the Regional Water Quality Control Board not change the existing implementation schedule for the Upper Santa Clara River Chloride TMDL and support Alternative 1 - the "No Action" alternative.	Staff disagrees.
24.1	Newhall	6/19/06	The proposed revision is inconsistent with the substance and structure of the adopted TMDL and with the prior State Water Resources Control Board remand order, and presents an unreasonably short implementation schedule for advanced treatment and brine line disposal.	The action proposed by Regional Board staff does not contradict the action directed by the State Water Board. The action is in accordance with Task 3 which mandates that the Regional Board reconsider the TMDL schedule in light of the results of the special studies one year after the effective date. A key special study has been completed. Commencing planning and construction now is indeed sequential. The State Board remand addressed the concern that the Districts need not initiate construction of remedies that special studies may then prove to be unnecessary. The proposed action continues to be in accordance with the mandate because construction of implementation actions is still not required

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				until the special studies are completed. Additionally, the proposed action preserves TMDL provisions for the Regional Board to reevaluate and extend the schedule during construction of the remedy. As in the adopted TMDL, the proposed TMDL still allocated eight years to construct the facilities. The duration of 8 years is consistent with the schedule provided by MWH (Page 8-393 of Administration Record), which is considered by the District a leading expert in developing cost estimates for water and wastewater treatment technologies.
24.2	Newhall	6/19/06	The proposed revision is not supported by sufficient technical justification to warrant such a major change to the structure of the TMDL, and it is not clear that the change will effectively improve water quality.	See response to comments 3.1. The proposed TMDL is based on current findings from special studies and remaining technical issues will be addressed by the GSWI study. The proposed TMDL will result in timely attainment of water quality objectives and reduce chloride load to the Upper Santa Clara river.
24.3	Newhall	6/19/06	We request that the Regional Water Quality Control Board - Los Angeles Region ("Regional Board" or "RWQCB") should maintain the current TMDL implementation measures and the current implementation schedule. In addition, we request that the Regional Board consider further addressing	Staff disagrees that Regional Board should maintain the current TMDL implementation measures and the current implementation schedule. See response to comment 3.1. Staff agrees that a Regional Approach may be an effective approach to chloride

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			chloride concentrations in the Santa Clara River by creating milestones for implementation of a collaborative stakeholder process *to* develop regional salt management solutions, which would supplement "the current implementation measures and special studies of the adopted TMDL.	issues in the Upper Santa Clara River. Regional Board staff has been pursuing a Regional Approach with stakeholders, but due to the wide differences in interests between stakeholders, including the Districts, a common basis for pursuing a Regional Approach has not been identified. Regional Board staff has met with stakeholders on at least five occasions to explore options for Regional Approaches. Staff has set forth several avenues for pursuing regional solutions, but the Districts did not respond or set forth its own proposals for a Regional solution until the TMDL was publicly notices and the Districts included a new alternative for consideration. Staff has also met with Ventura County agencies to discuss Regional solutions to chloride.
24.4	Newhall	6/19/06	The acceleration of the implementation plan is inappropriate, arbitrary and capricious.	Staff disagrees.
24.5	Newhall	6/19/06	By adopting the proposed revision, the Regional Board would materially undermine the current substance and structure of the adopted TMDL. Consistent with SWRCB policy, the current TMDL requires the completion of a number of studies, and implementation and evaluation of source controls on an adaptive basis, prior to requiring implementation of extremely expensive advanced treatment	The proposed TMDL schedule is based on study results to date and progress of the studies. The LRE establishes a guideline range of 100-117 mg/L chloride for salt-sensitive agricultural uses. Staff finds that advanced treatment most likely will be needed to improve the effluent chloride concentration and consistently meet the guideline range established by the LRE.

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			implementation measures. *Los Angeles Regional Water Quality Control Board Resolution No. 04-004, p3.* The proposed revision undermines this TMDL approach by essentially predetermining that, regardless of the outcome of studies that have not yet been completed, an SSO will not be adopted for any reach of the Santa Clara River. The current TMDL is based upon the prior determination that these studies are necessary to more fully understand the issues associated with the effects of chloride in the Santa Clara River before steps are taken to implement extremely expensive treatment options. Further, the Regional Board is predetermining that SSOs are not a potentially appropriate way to protect beneficial uses by adoption of water quality objectives that become stricter as they approach the point of actual beneficial use. The TMDL Implementation Plan as adopted is designed to attain substantial evidence to support or refute conclusions such as these before they are made. The acceleration of the proposed TMDL implementation schedule eliminates the steps necessary to collect that evidence required to support those conclusions, and instead relies upon misleading and oversimplified exceedance probability calculations to replace the studies and data collection mandated by the adopted TMDL	In the proposed schedule the TMDL planning and implementation tasks are triggered based on the results of the LRE and GSWI studies. The proposed schedule did not require building a new treatment plant before all studies are completed.
24.6	Newhall	6/19/06	While the Regional Board may have the authority to revisit TMDLs when such action	Each study informs the scope and importance of further studies. The

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			is appropriate and supported by substantial evidence and sufficient technical justification, here the Regional Board relies on the "re-opener" in Task 4 of the TMDL Implementation Plan as the stated reason for revisiting and restructuring the adopted TMDL. However, the "re-opener" was not intended under the adopted TMDL to result in revisions to the TMDL that undermine studies and data collection already found to be important to properly address chloride water quality issues in the Santa Clara River.	proposed TMDL adjusted schedule based on results and status of the studies. Staff did not find that the proposed TMDL reconsideration undermines studies and data collection. The proposed TMDL extends completion time for the GSWI study.
24.7	Newhall	6/19/06	The "re-opener" provides solely that the Regional Board is to re-evaluate the schedule for Task 6, the assessment of an appropriate chloride threshold, and the schedule for subsequent linked tasks as to the needed to conduct additional necessary studies based upon the outcome of earlier tasks. The language and context of the "re-opener" strongly indicates that its purpose is to extend the compliance schedule, rather than to shorten it, if the outcome of earlier tasks indicates that additional studies and evaluation are needed prior to implementation of additional water quality measures. The re-opener provision does not contemplate a wholesale revision of the TMDL Implementation Plan after 12 months, based on incomplete studies and data. The Regional Board should tailor its action to be consistent with the intent of the adopted TMDL implementation plan, and to follow its	Staff did not find that the language and context of the TMDL reconsideration indicates that its purpose is solely to extend the compliance schedule. The action proposed by Regional Board staff is a step-wise process of investigation and action. The Regional Board reconsiders the TMDL schedule in light of the results of the special studies one year after the effective date. A key special study has been completed. The TMDL planning and implementation tasks would be triggered based on the results of the LRE and GSWI studies, which is indeed sequential.

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			step-wise process of investigation and action, consistently with the substance and content of the adopted TMDL, including its "re-opener."	
24.8	Newhall	6/19/06	The accelerated Implementation Plan proposed by the Regional Board is inconsistent with the prior Remand Order of the SWRCB, which required the Regional Board to expand the TMDL schedule to allow study, evaluation and implementation tasks to be completed sequentially. The proposed accelerated implementation schedule requires compliance within a shorter time frame and does not allow the completion of tasks in sequence, but rather requires that the certain actions be taken prior to the completion of other tasks, such as the GSWI study, without the data generated by those tasks. As a result, the implementation tasks mandated are required based on assumptions rather than on TMDL study results. This approach is inconsistent the SWRCB's Remand Order.	Regional Board staff disagrees with the assertion that the proposed Basin Plan Amendment is inconsistent with the Remand Order from the State Board, because the proposed Implementation Schedule allowed completion of tasks in a sequentially, Regional Board staff has revised the proposed Basin Plan Amendment so that the implementation plan period is eleven years rather than ten years. The results from the studies to date reduce the scope of the forthcoming TMDL special studies so the Implementation Plan can be accelerated and completed sequentially. See response to comment 24.7.
24.9	Newhall	6/19/06	In addition, the Remand Order provided that if advanced treatment facilities and disposal facilities were found to be necessary to achieve compliance that the Regional Board "may consider extending the implementation schedule.". However, under the proposed Implementation Plan the Regional Board is doing just the opposite of what was contemplated in the SWRCB's Remand Order by basically mandating advanced	The Remand Order proposes extending the implementation schedule only to account for events beyond the control of the District. The Remand Order does not oppose acceleration of the TMDL schedule based on findings from special studies.

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			treatment and brine line~ disposal and requiring compliance within a *shorter* time frame than the 13 year period provided in the adopted TMDL and SWRCB Remand Order.	
24.10	Newhall	6/19/06	The proposed accelerated compliance schedule does not take into account the significant efforts that must go into advanced treatment and brine line disposal, including the substantial permitting issues that necessarily would be raised if a new pipeline were to be constructed and/or if the Crimson pipeline were to be converted into a brine line (assuming that such conversion is feasible).	Revision of the TMDL Implementation Schedule does not alter the foreseeable methods of compliance. The environmental effects of the foreseeable methods of compliance have already been analyzed.
24.11	Newhall	6/19/06	The proposed revision fails to evaluate the water quality issues associated with the brine line effluent discharges into the ocean that will result from adoption of a new, advanced treatment technology forcing schedule. Brine line discharges will likely contain dissolved copper and other pollutants of concern that could create other adverse salt water quality effects that must be considered carefully before adopting measures that may benefit chloride, but in the larger picture may degrade water quality.	Revision of the TMDL Implementation Schedule does not alter the foreseeable methods of compliance. The environmental effects of the foreseeable methods of compliance have already been analyzed.
24.12	Newhall	6/19/06	For the purpose of the Staff Report analysis, SWP water supply chloride data has been repeatedly confused with, or inappropriately	Staff made calculations based on data available. Using SWP water is a conservative way in estimating chloride

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			used in place of, the actual Santa Clarita Valley (SCV) *blended* water supply chloride data. The blended water supply consists of SWP water plus local groundwater, with SWP contributions ranging from 50-70% over the past 5 years. Actual blended water supply chloride data should instead be used to discern non-water supply chloride contributions (or SR WS and non-SRWS contributions, as defined in the Staff Report) to effluent discharges. Specifically, the difference between SCV WRP effluent chloride concentrations and the *blended* water supply chloride concentrations, not the SWP water supply chloride concentrations, should be used to discern non-water supply related chloride contributions. The use of SWP water supply chloride data rather than actual blended water supply data appears to be at the root of numerous erroneous and misleading findings in the Staff report related to trends in SRWS and non-SWRS chloride loading. If the analysis were amended to include 2005 data chloride data, and to consider blended water supply chloride concentrations considered rather than SWP water supply concentrations, no increasing SRWS and non-SRWS chloride loading trend would be found. As a result, a fining that advanced effluent treatment and brine line disposal will be required to achieve the chloride water quality objective is premature, and acceleration of the implementation schedule	load from water supplies. With residential growth, more portion of SWP water may be used as water supply in the future. The chloride load from SWP water varies with climate condition and the chloride load from groundwater is basically consistent. Using SWP water alone still provides the variation of chloride loading with time.

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			not warranted at this time.	
24.13	Newhall	6/19/06	With respect to estimates of water quality objective exceedance frequencies, the technical justification for revising the TMDL implementation plan is insufficient because it is not clear from the Staff Report that the exceedance frequency calculations (which are based on SRWS removal scenarios) have been conducted in a manner that would yield accurate or meaningful predictions of water quality objective exceedance frequencies. Los Angeles County Sanitation District (LACSD) staff estimate that during typical, non-drought conditions, with 100% reduction in SRWS loads, SCV WRP effluent would achieve 100% compliance with a 117 mg/L objective, a value that represents the upper boundary of the Literature Review Evaluation (LRE) guideline range. Even at 50% SRWS reduction, SCV WRP effluent could achieve 100% compliance with a 140 mg/L objective applied at the end-of-pipe. These reported estimates are important because if the typical 40 mg/L Valencia -to-Blue Cut chloride gradient (as identified on p. 12 of the Staff Report) is properly applied to reported LACSD exceedance estimates, compliance with the 100 mg/L objective could be achieved at the point-of-use (Blue	See response to comments 26.88. Regional Board staff understands that the purported 40 mg/L gradient is based on an annual average. Staff finds it premature to conclude that the 100 mg/L objective could be achieved 100% of the time for "typical non-drought" conditions. Further, this conclusion conflicts with the Districts Alternative 5 in which effluent limits of greater than 140 mg/L are proposed. Further this comment highlights the fact that the River and underlying groundwater basins will not be protected during drought conditions, when additional flow is not available to dilute the chlorides in the continuous discharges from the Santa Clara Valley WRPs.

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			Cut), therefore protecting downstream salt-sensitive agriculture supply uses, according to the LRE guidelines. Therefore, the Staff Report conclusion that chloride water quality objectives are unattainable lacks technical support and is premature. Further, the LACSD information highlights the need to provide adequate time to complete the GSWI and SSO studies required by the current TMDL, interpret the implications of the study results, and then develop and adopt reasonable, science-based policies for chloride control that take the study results into account (including final wasteload allocations and NPDES permit limits).	
24.14	Newhall	6/19/06	With respect to monitoring data for TMDL source control implementation measures, the conclusion that SRWS source controls cannot attain the existing chloride water quality objective is not supported because receiving water monitoring data documenting the impact of SRWS reduction has not been collected for a sufficient period of time to reach meaningful conclusions about the effects of the SRWS ban on chloride concentrations. The ban on prospective use of SRWS systems was enacted in March 2003, and public outreach	Staff made estimation on source control implementation measures based on data available up to date from the District. After year 3 of the ban on prospective use of SRWS systems, the Districts provide no evidence that the source control reductions will provide sufficient load reductions to protect agricultural supply and groundwater recharge beneficial uses during all conditions.

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			(including a rebate program) focused on retirement of existing SRWS systems began in March 2004. TMDL implementation measure monitoring data relied upon in the Staff Report is reported only through December 2004. Given the very short post-SRWS ban monitoring period, conclusions regarding SRWS-related chloride loading trends could very easily be confounded by other influencing factors, such as the drier than normal conditions which persisted until the 2004/05 wet season. Such factors cannot be properly understood from such a brief analysis period. Perhaps more importantly, concluding that the chloride water quality objective is unattainable based upon implementation measure monitoring data Item such a short monitoring period ignores the fact that, consistent with an adaptive management approach to TMDL implementation and water quality improvement, chloride source control measures am (and must) be implemented in the future in different ways to improve their efficacy as necessary to achieve water quality objectives	
24.15	Newhall	6/19/06	The Staff Report reaches its conclusion that advanced treatment is necessary to obtain the chloride water quality objectives finding based in part on an overstatement of the	The percentage values were based on calculations from loadings from WRP discharges and total chloride loadings from all sources to the river. Although a minor

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			influence of WRP discharges on chloride loading in the Santa Clara River. The Staff Report states that the SCV WRPs "contributed approximately 100% and 86% of the estimated total chloride load to the. USCR." *Staff Report: Upper Santa Clara River Chloride TMDL Reconsideration, p* 9. This estimate is misleading and incorrect without a complete chloride load balance provided to put these WRP load estimates in context.	degree of errors may be involved in calculation of percentage loadings, the calculated values can still indicate major sources of chloride.
24.16	Newhall	6/19/06	The technical justification for adopting a TMDL revision to accelerate implementation of advanced treatment and brine line disposal is insufficient because it ignores existing data, or is based on an inaccurate or inadequate interpretation of existing data. For example, the finding ignores that existing data shows that at least the trend of increasing chloride concentrations has been halted. *Staff Report: Upper Santa Clara River Chloride TMDL Reconsideration, p.* 21.	The Staff Report considered all data available up to date. Staff did not find existing data showing that at least the trend of increasing chloride concentrations has been halted.
24.17	Newhall	6/19/06	The technical justification for adoption of the proposed revision to the TMDL is insufficient because it does not take into account the potential assimilative capacity for chloride that the Santa Clara River appears to exhibit. While the chloride concentration gradient of 40 mg/L from Valencia to Blue Cut discussed in the Staff Report at page'	Regional Board staff note a rising trend of chloride in groundwater basins underlying the Santa Clara River. This trend appears to coincide with increased chloride loadings to the Santa Clara River. Staff agrees that the completion of the GSWI study will help to understand better the assimilative capacity of the Santa Clara

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			12 potentially indicates some assimilative capacity for chloride, the GSWI study mandated by the adopted TMDL is not yet completed. Until the GSWI study is complete, it will not be entirely clear what the assimilative capacity of the Santa Clara River is for chloride, and how that capacity should impact the implementation of the TMDL.	River and mass transport of chloride in the Santa Clara River. Consequently, staff recommends extension of the task to complete the GSWI.
24.18	Newhall	6/19/06	The proposed revision lacks technical justification because the Staff Report fails to cite or set forth any reliable monitoring data showing that beneficial uses have been further impaired as dischargers have complied over the last two years with the current TMDL Implementation Plan. While Staff Report calculates predicted chloride loads during compliance with interim TMDL performance based standards, chloride loads were anticipated during the implementation period under the adopted TMDL, and were taken into account at the time that the current implementation Plan and Waste Load Allocations were established. There is no indication that these current chloride loads substantially exceed the loads that were anticipated when adopting the TMDL, and there is no evidence that these loads are substantially degrading water quality or impacting the	The TMDL Implementation Schedule is reconsidered based on special study results to date. The special TMDL did not require monitoring data showing that beneficial uses have been further impaired, e.g. documentation of leaf tip burn or decrease yield or crop value by downstream avocado growers. Therefore, such data were not collected to date. Additionally, while not relevant to the basis for reconsideration of the TMDL, staff notes that water quality standards must be set at levels better than those that result in any degradation of beneficial uses.

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			actual use (*e.g.,* documentation of leaf tip burn or decrease yield or crop value by downstream avocado growers) during the implementation period. As a result, the proposed revision to accelerate implementation of advanced treatment and brine line disposal is premature, and is not warranted at this time.	
25.1	Runner	6/19/06	I request that you extend the public comment period on this matter for at least 30 days to allow greater opportunity for the public to provide input on this important issue.	The board hearing for the proposed amendment on August 3, 2006 is a continuation from the July 13, 2006 meeting. The existing comment period is of standard duration and in accordance with Board policy and California Law. It provides staff adequate time to fully evaluate and consider the comments.
25.2	Runner	6/19/06	The studies required by the TMDL, which are underway, but are not yet concluded, must be completed in order to provide satisfactory answers to the nagging questions that remain on this topic. The requirements for the wastewater treatment plants that discharge to the river should not be finalized before these studies are completed. Instead of the premature and costly treatment upgrades that would be necessary if the proposed amendments to the TMDL are approved, the studies should be completed and efforts to reduce chloride loads from the residential use of automatic	Based on proposed TMDL amendment, the requirements for the wastewater treatment plants that discharge to the river will not be finalized until all studies are completed. The proposed TMDL amendment will not undermine efforts to reduce chloride loads from the residential use of automatic water softeners.

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			water softeners should continue.	
25.3	Runner	6/19/06	In fact, I am authoring a bill, SB 475, to address this issue, which I hope your board will support. SB 475 will assist the Santa Clarita Valley Sanitation District and City of Santa Clarita in their effort to reduce chloride loads from residential automatic water softeners by providing legal authority to remove the "grandfathered" softeners that contribute significant amounts of chloride to the wastewater system in the Santa Clarita Valley. Rather than short-circuit this effort, you board should allow the time promised in the TMDL's current implementation plan.	Regional Board supports the objectives of SB 475. However, staff does not agree that the proposed TMDL schedule will short-circuit this effort. Source control can continue and will help to reduce the chloride load.
25.4	Runner	6/19/06	A decision to accelerate the timetable for compliance with the chloride standard by the treatment plants prior to completion of the studies would undermine the effort to remove water softeners and scientifically determine the chloride standard that should be applied in the Santa Clarita reaches of the Santa Clara River so as to protect downstream agriculture and groundwater resources.	See response to comment 3.1.
25.5	Runner	6/19/06	I strongly urge you not to revise the Upper Santa Clara River Chloride TMDL at this time.	Comment noted.
26.1	Districts (Cover Letter)	6/19/06	Because of the significant changes being proposed by the Regional Board and considering that the public hearing has been	The board hearing for the proposed amendment on August 3, 2006 is a continuation from the July 13, 2006

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			postponed, the District requests that the public comment period be extended.	meeting. A forty-five day comment period was provided. The comment period is of standard duration and in accordance with Board policy. It provides staff adequate time to fully evaluate and consider the comments. The June 19, 2006 date for submittal of written comments is not changed.
26.2	Districts (Cover Letter)	6/19/06	Pollution prevention and source control measures will be seriously undermined as a result of shortening the schedule.	Shortening the schedule will not undermine pollution prevention or source control measures. These measures have been underway for several years and the schedule allows for their continuation. Pollution prevention and source control measures will reduce chloride concentrations in effluent, but the extent of that reduction is unknown. Staff also notes the source control and pollution prevention will not lead to protection of the beneficial uses of the Santa Clara River during all conditions. Lower concentration effluents will require less energy and less treatment to reduce chloride level to meet the WQO. Pollution prevention and source control measures can be part of a comprehensive approach and help to shorten the schedule.
26.3	Districts (Cover Letter)	6/19/06	Shortening the TMDL schedule will impose an increased financial burden on the Santa Clarita valley community.	Accelerating the TMDL schedule does not change the methods of compliance with the TMDL, and, in some cases, costs for

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				capital projects can be reduced with shorter time frames. The shortened schedule does not preclude the Districts from pursuing financing options that can reduce the financial burden to the Santa Clarita valley community.
26.4	Districts (Cover Letter)	6/19/06	Shortening of TMDL schedule may have serious environmental impacts.	The environmental impacts are associated with construction activities that may be implemented are of relatively short duration and impacts of brine or effluent to the Ocean. These types of impacts are independent of the pace of implementation and would be mitigated at the project level.
26.5	Districts (Cover Letter)	6/19/06	No evidence that historic and current water quality conditions have impacted salt sensitive crops grown in the Santa Clara River watershed. Avocado and strawberry production were reported at their highest levels in nearly 10 and 20 years, respectively. Both crop production rates and revenues for both strawberry and avocados have been steadily rising over the last decade.	The finding of 100 mg/L to 117 mg/L threshold level is based on literature available up to now including those providing yield information. The lack of a yield decrease over years does not provide conclusive evidence that there is no chloride injury to crops. It is possible that yield decrease by chloride injury may be offset by improved agricultural practice. For example, the avocado yield in Israel has increased from 4.7 ton/Ha in 1961 to 11.2 ton/Ha in 2005, while at the same period the avocado yield in USA (mainly in California) has only increased from 4.9 ton/Ha to 7.7 ton/Ha. Although the water quality standard is not before the Board for consideration at this hearing, staff note

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				that these must be set at levels lower than levels that cause or contribute to effects on beneficial uses.
26.6	Districts (Cover Letter)	06/19/06	The District has made every good faith effort to expedite the existing TMDL schedule. Due to the large number of stakeholders involved in the process, delays have been encountered in order to address all concerns raised by the stakeholders, as might have been foreseen. Consequently the District is requesting an extension of I0 months for TMDL Task No. 5.	Extension of 10 months for TMDL Task No. 5 will cause unreasonable delay of TMDL implementation. Extension of 7 months is proposed based on current progress of the GSWI study and information provided by the GSWI contractor on when the final report can be completed.
26.7	Districts (Cover Letter)	6/19/06	The District Recommends a Regional Approach to Address Salinity Concerns in the Santa Clara River Watershed.	Staff agrees that a Regional Approach may be an effective approach to chloride issues in the Upper Santa Clara River. Regional Board staff has been pursuing a Regional Approach with stakeholders, but due to the wide differences in interests between stakeholders, including the Districts, a common basis for pursuing a Regional Approach has not been identified. Regional Board staff has met with stakeholders on at least five occasions to explore options for Regional Approaches. Staff has set forth several avenues for pursuing regional solutions, but the Districts did not respond nor set forth its own proposals for a Regional solution until the TMDL was publicly noticed and the Districts included a new

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				alternative for consideration. Further, it is not clear that the Districts has produced a proposal for a Regional Solution. Staff has also met with Ventura County agencies to discuss Regional solutions to chloride.
26.8	Districts (Cover Letter)	6/19/06	Recommendation for a TMDL revision based on a phased management approach - Alternative 5: • Shorten the 13-year implementation schedule (from the effective date of May 4, 2005) to 5 years. • Establish new chloride effluent limitations that can be achieved by May 4, 2010 through cost effective source control measures. • Ensure that the quality of river water is protective of salt sensitive crops at the point where the water is diverted for irrigation by local farmers during non-drought periods. • Allow for drought relief and during those periods require the District to provide another suitable irrigation supply water to impacted farmers. • Lower existing interim chloride limits based on observed reductions in chloride loads to the District's two WRPs.	Regional Board staff will discuss the proposed Alternative with the Regional Board at the hearing on August 3, 2006 hearing. However, Regional Board staff is concerned that source reduction alone may not be sufficient to achieve the chloride load reductions needed to fully protect beneficial uses. This alternative, proposed by the Districts, is not accompanied by a detailed analysis showing that agricultural supply and groundwater recharge beneficial uses can be supported.
26.9	Districts (Attachment 1. A1)	6/19/06	Regional Board's analysis of extended study time schedules is inaccurate and wrongly portrays that extended studies cannot be completed in a timely manner.	Regional Board staff bases its assessment of the extended study time on the TMDL ESA special study in consideration of the extensive body of information regarding

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				chloride thresholds identified by the Literature Review and Evaluation, staff concluded that extended studies would require extensive review and verification before chloride water quality objectives can be revised by the Regional Board.
26.10	Districts (Attachment 1. A1)	6/19/06	The LRE findings were that only an irrigation guideline range for chloride could be determined by the available literature, and these guidelines were based on leaf-tip burn, and not based on the most important metric for the farmers, which is yield. Farmers do not cultivate avocados for their aesthetic characteristics, but for profit, based on yield of avocados per tree.	Leaf-tip burn is an import sign of plant injury that may adversely affect the yield. It is not because of aesthetic characteristics that a large number of studies on relationship between leaf tip burn and chloride level been conducted.
26.11	Districts (Attachment 1. A1)	6/19/06	The Regional Board grossly overstates that such studies would take *decades* to complete, when clearly the ESA has developed a set of alternatives that can be explored in both short-term (2-4 year) and long-term (8-10 year) time frames, and has been adequately vetted and commented upon by other stakeholders in a collaborative process.	The time required for field experiments in agricultural sciences varies from years to hundred of years. The level of chloride effect on yield may vary depending on other factors such as soil texture, soil fertility, soil pH, soil CEC, soil salinity level, annual rainfall, irrigation and crop practice, etc. Absent a long term study, the threshold obtained by the extended study may not be justified to replace the threshold level found from the LRE if they are different. It is because of the long-term nature of agricultural studies that the effects of chloride level on avocado yields were not examined as much as on leaf

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				injury. The regional board considered the comments from TAP members and applied a period of 10 years in Alternative 3, which is the time required for long term study as proposed by the extended study design.
26.12	Districts (Attachment 1. A1)	6/19/06	The Regional Board's basis that extended studies could take years is from a "synopsis," citing agricultural studies in England, where agriculture, climate, and crop types are widely different from what is grown in the Santa Clara River watershed. Does United Kingdom even grow avocados or other salt-sensitive crops? the Regional Board is contradicting their own logic and previous comments by being the only commenter that believes that long-term studies will take decades to conduct. It should be noted that Technical Advisory Panel (TAP) members Grattan and Letey (who have considerable experience in this area) both feel that sand tank studies and specific long-term field studies have merit and can be conducted in the time frames provided in the ESA. The Regional Board appears to be also overemphasizing the findings of a synopsis, when through the collaborative process a discussion of both short-term and long-term studies in the 2-10 year time frame have been consistently discussed in technical working group	Regional Board staff cited agricultural studies in England to illustrate the long-term nature of agricultural studies. No specific results from that study will be applied to the Santa Clara River watershed. Among many other long-term studies around the world, the study at England is cited because it is one of the earliest long term study that has been initiated. Regional Board staff considered comments from TAP members in a comprehensive manner in determining the term for the extended study. In contrary to the comments mentioned by the District, TAP member Faber commented that "further research would not be of value…There is just too much variability associated with the research". TAP member Letey commented that " I am very concerned that the pursuit of any of the alternatives described in this report will require investment of millions of dollars and several years and achieve very little

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			meetings on the extended study alternatives. At no time did the Regional Board or any other stakeholder discuss how results from studies in England should be used to make important policy decisions regarding chloride in the Santa Clara River watershed. However, it appears now that a synopsis interpreted by the Regional Board staff, that was not once brought to the attention of the TWG over the last year and a half, nor reviewed by the TWG or the TAP, are being considered absolutely relevant for making policy decisions on this TMDL? The District believes that such policy decisions based on last-minute information submitted in a Staff Report violate the intention and spirit of the collaborative process and undermines the importance of agricultural expert peer review as to relevance.	more unambiguous then is presently known. This is not a criticism of the report; it is just a frank statement on the nature of the problem".
26.13	Districts (Attachment 1. A1)	6/19/06	A point needs to be noted regarding the Regional Board's concern over agricultural Sustainability. One of the reasons that agriculture is sustainable is due to advances in Agroscience. In particular the development and commercial cultivation of salt-resistant root stocks for avocados is promising, and may continue to make the avocado industry sustainable.	The fact that advanced technology has increased crop yields greatly over years does not justify deterioration of soil/water quality. It is not clear that such increased crop yields can be sustained with lower quality irrigation water.
26.14	Districts	6/19/06	Regional Board staff provides no	In the current TMDL Implementation Plan,

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	(Attachment 1. A2)		justification for Bulleted Finding Nos. 6 and 8 (Page 27 of Staff Report) and their recommended alternative (Alternative 4) only further assures that timely achievement of WLAs will be unattainable.	the lack of milestones during implementation of advanced treatment provides greater assurance that the appropriate remedy, based on the TMDL special studies, are progressing in an orderly fashion. These milestones do not have bearing on the determination of the appropriate implementation method, but are only applicable if advanced treatment is determined to be the most effective remedy.
26.15	Districts (Attachment 1. A3)	6/19/06	Regional Board does not fully characterize and/or misrepresents the District's position/concern in Sections 3.8 and 4.5 of the Staff Report.	There is no finding that advanced treatment is necessary at this time. The language regarding the out year milestones was discussed at a public hearing on November 3, 2005. At that meeting, the Regional board recommended that the San Districts and Agricultural Interests work together on achieving language that was mutually agreeable. Several meetings were held in which parties suggested language that was acceptable, but there was no agreement among the parties.
26.16	Districts (Attachment 1. A4)	6/19/06	Regional Board's finding No. 11 is predicated on compliance with end-of-pipe WQOs, when compliance at point-of-use is achievable without requiring costly advanced treatment. Over the last 30 years, the typical gradient between WRP	Proposals based on point-of-use compliance could be considered as part of a future basin plan amendment as long as existing, potential, and downstream beneficial uses are protected. Water quality standards apply throughout the

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			effluent chloride concentrations and river chloride concentrations is 40 mg/L. The District also disagrees with the Regional Board's contention that the WQO would apply only as an instantaneous maximum at the WRP outfall.	waterbody, not at point-of-use and are intended to protect existing and potential uses of the reach, as well as downstream waters. Regional Board staff has urged Districts staff to initiate studies that could support this approach. It is not clear as to what is meant by "typical gradient." It is also not clear that statistical methods to attain a typical condition will support agricultural supply beneficial uses. Based on Regional Board staff's understanding, the gradient of 40 mg/L between WRP effluent concentrations and river concentrations is annual-average based. The WRP effluent may be diluted by river water to a large extent during the wet season but to a much less extent during the dry season. The farmers more likely use river water for irrigation during dry season. Also the sensitivity to salt for crops may vary at different growth stages. An instantaneous maximum WQO is more scientifically based for protection of surface water uses than an annual average WQO.
26.17	Districts (Attachment 1. A5)	6/19/06	Regional Board relies upon a United Water Conservation District Report to justify their recommendation to accelerate the schedule, when GSWI study will provide a more definitive understanding of groundwater	The Regional Board staff did not rely on a single source to justify its recommendations. Staff considers findings from all sources, not from a single source for decision making. Regional

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			assimilative capacity and a more recent study conducted by the District provides differing conclusions.	Board staff note a rising trend of chloride in groundwater basins underlying the Santa Clara River. This trend appears to coincide with increased chloride loadings to the Santa Clara River. Regional Board staff agrees that GSWI will provide more and potentially critical data on the groundwater conditions.
26.18	Districts (Attachment 1. A6)	6/19/06	Regional Board relies upon an overly conservative and unrealistic exceedance frequency analysis, which requires compliance during drought conditions, to justify that the TMDL schedule should be accelerated. The Regional Board's analysis only considers imported state water project water, and not the blended water supply chloride concentration. This overestimates exceedance frequencies, since the blended water supply chloride concentrations are typically lower than imported state water project chloride levels, especially during drought and drier-than-normal conditions. Secondly, the Regional Board's analysis is skewed and a time series analysis on the data they used to determine exceedance frequencies shows that the majority of exceedances occurred during drought (1987-1993) and drier-than-normal (2000-	Staff made calculations based on data available. Using SWP water is a conservative way in estimating chloride load from water supplies. With the development of residential area and population increase, more portion of SWP water may be used as water supply in the future. The chloride load from SWP water varies with climate condition and the chloride load from groundwater is basically consistent. Using SWP water alone still provides the variation of chloride loading with time. All permittees are required to meet permit limits and not violate receiving water standards 100% of the time. If source control alone is not adequate, other measures must be implemented in order to guarantee compliance.

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			2004) conditions. Finally, the Regional Board is requiring that the District comply under drought conditions, which is essentially requiring the District to treat for conditions it has no control over, namely the water quality of the imported water supply.	
26.19	Districts (Attachment 1. A6)	6/19/06	The LRE recommended guidelines are for irrigation water and therefore some credit for rain dilution should be applied as on average, there is approximately 17-20 inches of rain in the Piru Basin, according to CIMIS and United water Conservation District rain gauging data.	Credit for rain dilution should not be applied because rainfall mainly occurs in the wet season. There is almost no rain in the dry season (the critical condition) and crops depend upon irrigation water in dry season.
26.20	Districts (Attachment 1. A6)	6/19/06	It should be noted that if the Regional Board requires compliance under drought conditions, with no flexibility over providing regulatory relief, it must apply that same standard for all dischargers to the Santa Clara River, including those currently "unregulated" discharges from conservation releases to the Santa Clara River, namely Department of Water Resources releases from Castaic Lake and UWCD releases from Lake Piru.	The TMDL source analysis shows that the Districts discharge the major chloride load to the Santa Clara River. The TMDL provides a period for additional studies to quantify other sources and a reevaluation of the WLA which can apply to those sources, if appropriate.
26.21	Districts (Attachment 1. A7)	6/19/06	Staff Report uses undocumented and unverified information about the availability and use of an abandoned pipeline and ocean outfall for advanced treatment brine disposal to mischaracterize the cost impacts and feasibility of advanced treatment.	Regional Board staff identifies remedies which are attainable, but does not fully characterize any remedy. Regional Board staff proposed consideration of the existing pipeline because it is cost-effective to use existing facilities and therefore can avoid a

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				wasteful expenditure of public funds, reduce the timeframe for implementation, and minimize other impacts if a new line was needed.
26.22	Districts (Attachment 1. A8)	6/19/06	Regional Board Staff Analysis on Advanced Treatment Required Cannot Guarantee Compliance to an Instantaneous Maximum End-of-Pipe Limit, Underestimates Brine Volumes Generated to Achieve 100% Compliance with Existing WLA of 100 mg/L as an Instantaneous Maximum.	Regional Board staff analysis indicates that the existing brine line can convey a significant load of chloride which is currently discharged to the USCR to another outfall and thereby protect agricultural supply beneficial use.
26.23	Districts (Attachment 1. A8)	6/19/06	Regional Board staff analysis on advanced treatment mischaracterizes the feasibility of using an existing brine line in their determination of required advanced treatment. [Footnote 17] Regional Board utilized loading above water supply based on the Districts' November 2005 update to the chloride source report, which only presents annual average conditions, for various sectors. They are employing assumptions that were derived as a result of annual average conditions, and subsequent compliance would be only based on an annual average compliance period, which is currently not supported by the existing interpretation of the mineral water quality objective. To assure 100% compliance with a 120	Regional Board staff used information available from the District's 2005 chloride report. The District's 2005 report did not provide monthly average conditions. Staff notes that estimates of the brine generated from advanced treatment are preliminary.

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			mg/L instantaneous maximum limit, nearly 82% of the SCVJSS flows would be required to be treated, which would generate 4.2 MGD of brine waste, which is quadruple, the amount of brine waste estimated by the Regional Board.	
26.24	Districts (Attachment 1. B)	6/19/06	The Revised TMDL is contrary to letter and spirit of the Settlement Agreement entered into between the District and the Regional Board.	The Settlement Agreement does not limit the authority or discretion of the Regional Board in acting pursuant to the Porter-Cologne Act, the Clean Water Act, and other applicable laws.
26.25	Districts (Attachment 1. C)	6/19/06	The revised TMDL does not comply with CEQA and will require that the Regional Board address the significant environmental impacts of their recommendation to accelerate the TMDL schedule.	The TMDL does not specify the design, location, type of construction, or particular manner for compliance with the TMDL. Section 13360 of the California Water Code prohibits the Regional Board from dictating the manner of compliance. Should the discharger(s) choose a structural device or facility to achieve the Waste Load Allocations established in this TMDL, a project-specific CEQA analysis will be required. Regional Board's obligation is to identify remedies which are reasonably foreseeable. The Basin Planning process utilizes a functionally equivalent CEQA Process.
26.26	Districts (Attachment 1. C1)	6/19/06	Regional Board's environmental analysis is inadequate.	The Regional Board analyzed the environmental impacts of the TMDL when it was previously adopted in 2004. The Regional Board did not receive challenges

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				to the environmental analysis at that time. This item does not change the TMDL requirements or the foreseeable methods of compliance. Consequently, this item does not require additional environmental analysis. Further, the recommended TMDL maintains the same eight-year timeframe for design and construction of the proposed remedy.
26.27	Districts (Attachment 1. C2)	6/19/06	Acceleration of the implementation schedule is a "Project" pursuant to CEQA	Revision of the chloride TMDL does not alter the foreseeable methods of compliance with the existing chloride TMDL. The environmental analysis of the chloride TMDL has already been completed and the Districts did not challenge the analysis within the required timeframe. Further, new information regarding a foreseeable possibility to utilize an existing pipeline for conveyance of brine could reduce environmental impacts from TMDL implementation.
26.28	Districts (Attachment 1. C3)	6/19/06	Significant effects arising from the acceleration must be studied in an FED EIR.	The environmental analysis of the chloride TMDL is within the framework of a certified regulatory program which does not require an EIR.
26.29	Districts (Attachment 1. C4)	6/19/06	Acceleration of the implementation schedule will lead to significant environmental effects.	Revision of the TMDL Implementation Schedule does not alter the foreseeable methods of compliance. The environmental effects of the foreseeable methods of compliance have already been

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				analyzed.
26.30	Districts (Attachment 1. C5)	6/19/06	The Regional Board must prepare an FED EIR for its acceleration of the implementation schedule.	The environmental analysis of the chloride TMDL is within the framework of a certified regulatory program which does not require an EIR.
26.31	Districts (Attachment 1. C6)	6/19/06	No CEQA exemption applies to excuse The Regional Board from preparing an FED EIR.	The environmental analysis of the chloride TMDL is within the framework of a certified regulatory program which does not require an EIR.
26.32	Districts (Attachment 1. D1)	6/19/06	Revised TMDL contains unreasonable planning deadlines.	The existing TMDL includes planning activities to include a range of different possible water quality objectives. Given that the major technical uncertainties regarding the chloride objective have been addressed by completion of the LRE, the schedule can accommodate initiation of planning with the forthcoming completion of the GWSI. This will not compress the planning timeframe.
26.33	Districts (Attachment 1. D2)	6/19/06	The Regional Board's preplanning recommendation is unnecessary and would be a wasteful expenditure of public funds.	Regional Board notes that the cost for planning is $1.5 million estimated in 2002 and $2.5 million estimated in 2006, which is relatively low compared to cost for the extended agricultural study. The total cost for all studies listed in the extended study alternatives is from $10.9 million to $23.7 million. Thus, initiation of preplanning can conserve public funds.
26.34	Districts (Attachment	6/19/06	Revised TMDL contains unreasonable design and construction deadlines.	The existing TMDL includes planning activities to include a range of different

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	1. D3)			possible water quality objectives. Given that the major technical uncertainties regarding the chloride objective have been addressed by completion of the LRE, the schedule can accommodate initiation of planning with the forthcoming completion of the GWSI. This will not compress the planning timeframe.
26.35	Districts (Attachment 1. E)	6/19/06	Revised TMDL shortens interim limits and with inclusion of unrealistic schedules for planning, design and construction, would place the District in jeopardy of non-compliance after such limits expire. .	The existing TMDL includes planning activities to include a range of different possible water quality objectives. Given that the major technical uncertainties regarding the chloride objective have been addressed by completion of the LRE, the schedule can accommodate initiation of planning with the forthcoming completion of the GWSI. This will not compress the planning timeframe. The Board can address future needs for additional time in future TMDL reconsiderations.
26.36	Districts (Attachment 1. F1)	6/19/06	The Regional Board Staff Report incorrectly de-emphasizes the ability of source control and pollution prevention efforts to lower chloride levels. Significant reductions have been achieved through the Public Outreach and Pollution Prevention program, and additional reductions can be expected in the future.	While the source control and pollution prevention efforts to date appear to be effective, the decrease of chloride loading is lower than in the previous years. Staff concludes that these efforts may not lead to full compliance.
26.37	Districts (Attachment	6/19/06	Revising the TMDL Implementation Plan (as proposed in Alternatives 2 or 4) will	Comment is responded as in 26.2.

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	1. F2)		undermine source control efforts by shortening the schedule and effectively mandating that advanced treatment be installed in order to meet proposed schedule deadlines.	
26.38	Districts (Attachment 1. F3)	6/19/06	Regional Board's mandate to install advanced treatment would force the District to expend public monies to plan, design and construct Advanced Treatment that would subsequently not be necessary when source control reductions are achieved.	The Regional Board is not mandating installation of advanced treatment. The Districts provide no evidence that the source control reductions will provide sufficient load reductions to fully protect agricultural supply and groundwater recharge beneficial uses under all conditions.
26.39	Districts (Attachment 1. G)	6/19/06	Revised TMDL undermines SSO studies, by shortening the task 6 and task 10 study schedules, and increasing the risk that policy decisions will be made for the sake of expediency as opposed to sound science.	The recommended TMDL revisions promote sound science by recommending and extension of the timeframe to complete the GWSI studies. Further, there a no revisions to the TMDL schedule recommended prior to the time that GSWI is completed.
26.40	Districts (Attachment 1. H)	6/19/06	Revised TMDL is predicated on an incomplete analysis of water quality impacts to surface water and groundwater in Piru Basin and the lower Santa Clara River watershed.	The recommended TMDL allows for completion of the GSWI which will inform the Board and stakeholders on the impacts to surface water and groundwater in Piru Basin. It is noted that the TMDL addresses the upper Santa Clara River, not the lower Santa Clara River.
26.41	Districts (Attachment 1. H1)	6/19/06	Revision of TMDL is premature due to lack of understanding of groundwater and surface water system	The recommended TMDL revisions promote sound science by recommending and extension of the timeframe to

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				complete the GSWI studies. Further, there is no revisions to the TMDL schedule recommended prior to the time that GWSI is completed.
26.42	Districts (Attachment 1. H1)	6/19/06	The Regional Board should determine whether advanced treatment is necessary after all the sequential studies and administrative task are completed, which occur in Tasks 7-10 of the TMDL.	Staff notes that determination of whether advanced treatment is necessary is not a Regional Board function. The Districts can pursue alternatives to comply with the TMDL targets and attain water quality objectives. Staff also note that the Districts have claimed in public notices to their ratepayers, that advanced treatment may be the feasible means of compliance.
26.43	Districts (Attachment 1. H2)	6/19/06	Salt loading from sources other than SCVJSS were not considered by the Regional Board. As discussed in the District's report, "Groundwater And Surface Water In Piru Subbasin And The Lower Santa Clara River Watershed", there is significant loading of TDS and chloride due to agricultural activity, specifically salt leaching requirements from the crop root zone, within the watershed.	The TMDL source analysis shows that the Districts discharge the major chloride load to the Santa Clara River. The TMDL provides a period for additional studies to quantify other sources and a reevaluation of the WLA which can apply to those sources, if appropriate. Chloride in irrigation water can cause salt accumulation in soil, which may be transported to surface water or groundwater. High chloride level in irrigation water can decrease agricultural sustainability and increase salt loading from agricultural sources.
26.44	Districts (Attachment	6/19/06	Revised TMDL should focus on regional salt management solutions	See response to comments for 26.7

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26.45	Districts (Attachment 1. J)	6/19/06	Alternative recommendation to shorten Upper Santa Clara River Chloride TMDL implementation schedule	See response to comments for 26.8
26.46	Districts(Attachment A #1)	6/19/06	[Footnote 4] There is no indication that the Regional Board complied with Water Code §13241, or the California Environmental Quality Act (CEQA), in either adopting this revised water quality objective in 1978, or when the original objectives were adopted in 1975. Furthermore, the Regional Board in 1978, when the 100 mg/L objective was established, incorrectly stated that there are no point source dischargers in Reach 7 (also referred to as Reach 5) even though the Valencia WRP was discharging into Reach 7 at that time. *See* Regional Board Administrative Record – General Files 100.6032, Basin Plan – 4A (1978), Adoption Meeting (*Basin Plan Text Change Sheet pages 3-4*)(March 27, 1978). [Footnote 9] Furthermore, this instantaneous maximum was used to justify the need to perform a TMDL and to justify the inclusion of an instantaneous maximum interim surface water limit (*see* Regional Board Hearing Transcript at 39:10-12 (Dec. 7, 2000). This is the case even though	These comments are directed to the adoption of the original TMDL or the original water quality objectives. Those are matters not before the board in this proceeding. The subject of this proceeding exclusively relates to modification of the timing of the implementation schedule for the previously adopted TMDL.

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			there is no indication that the Regional Board ever complied with the California Water Code (e.g., 13241) or CEQA in adopting this *revised* water quality objective as an instantaneous maximum. In fact, no analysis or discussion of the effect of this amendment was ever included in the record for the 1994 Basin Plan Amendment.	
26.47	Districts(Attachment A #2)	6/19/06	[Footnote 10] The inclusion of a daily maximum effluent limitation was contrary to federal regulations, 40 C.F.R. 122.45(d)(2), because no impracticability analysis was performed. Longer term average limits would not be impracticable since there are no short term toxicity issues involved with the concentrations at issue here.	See response to comment 26.46.
26.48	Districts(Attachment A #3)	6/19/06	The investigation determined that the Basin Plan's original 100 mg/L chloride objective was improperly interpreted from a reference intended to be used as a *guideline*, not as an absolute threshold limit for protection of chloride sensitive crops. The literature actually included a more appropriate threshold of 142 mg/L reflecting the actual surface irrigation practices employed in the Ventura area.	See response to comment 26.46.
26.49	Districts(Attachment A #4)	6/19/06	The Regional Board's recommended alternative collapsing the TMDL implementation schedule does not reflect or	Consensus among stakeholders has not been achieved because of the widely disparate views on the impacts of chloride

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			facilitate a collaborative process or consensus among stakeholders. Instead, it will trigger the District's recourse under the 2004 Settlement Agreement to sue over chloride issues if and when the Regional Board adopts changes to the TMDL not contemplated and agreed to under the 2004 Settlement Agreement. That agreement specifically reserved jurisdiction to the District to appeal not only the changes made outside those agreed upon in the 2004 Settlement Agreement, but also to challenge the water quality objective for chloride and the basis and content of the TMDL itself.	on agricultural supply beneficial use. Regional Board staff organized and participated in a series of meetings with Districts staff and agriculture representatives to discuss specific steps that could form the basis for a Regional solution which could then be presented to a larger stakeholder group. These meetings eventually ceased because the Districts did not develop or agree to an approach that could be considered by the Board staff and agricultural representatives. Nonetheless, Board staff continued to meet with Districts staff, including several meetings with the Districts' Chief Engineer and Regional Board's Executive Officer. Again, the discussions did not lead to proposals which addressed the interest and directive of the Board to protect beneficial uses of the USCR which could be brought forth to stakeholders. Regional Board staff has also met with representatives from several Ventura County agencies and private entities to discuss Regional approaches. These discussions all identified the availability of an existing pipeline or available right-of-ways for a brineline from the USCR watershed to the coast.

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				The Regional Board staff recommendation is based on the technical results of the special studies to date and Regional Board directions to staff to attain water quality objectives in as timely a manner as possible. If the Districts believe they have a right of action against the Regional Board, they are at liberty to pursue any legal avenues available to them to extent such avenues have not otherwise been waived.
26.50	Districts(Attachment A #5)	6/19/06	Here, the checklist and the Revised TMDL ignore the potential effects of collapsing the TMDL's schedule to implement advanced treatment. The Revised TMDL does not adequately consider the air quality impacts due to increased truck traffic needed to haul brine wastes, the traffic impacts of the same, and the environmental and water quality impacts of constructing or using a brine line and ocean outfall to discharge reverse osmosis reject water.	There is no checklist here. The environmental documents consist of Notice of Exemption, which finds that revising the implementation schedule "will not impose additional environmental impacts from the TMDL regulation currently in place." The commenter suggests that uses of a brine line and ocean outfall are impacts attendant with this action. This action is only to shorten the time for compliance. Those means of compliance and attendant impacts are related to the adoption of the TMDL in first instance, the regulation that is currently in place. The changes to the time frame precipitate neither these compliance measures nor the impacts attendant with them.

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				The commenter also suggests that shortening the compliance time by three years will require trucking of brine wastes. Trucking of brine wastes is not a reasonably foreseeable means of compliance. The shortened time frame is exclusively the result of obtaining the results of studies in three years rather than five years. The results of the special studies allow initiation of preplanning activities for implementation actions without unnecessary expenditure of Districts' funds. The TMDL's original time frame, agreed upon by the Districts, included five years for studies, and eight years to construct the facilities. The Districts are still allocated eight years to construct the facilities, which continues to be reasonable for the following reasons. The duration of 8 years is consistent with the schedule provided by MWH (Page 8-393 of Administration Record), which is considered by the District a leading expert in developing cost estimates for water and wastewater treatment technologies. Further, the Settlement Agreement states that "If Regional Board approves the Chloride TMDL Amendments, then all Parties shall advocate to the State Board approval of the Chloride TMDL, including

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				the Chloride TMDL Amendments". The existing TMDL proposed 8 years for the planning, design, and construction of advanced treatment. The schedule for construction is thus not collapsed—only the schedule for obtaining studies, which have already been obtained. The Districts have submitted no evidence that the circumstances have changed since the original time schedule was created, such that eight years is now inadequate. Eliminating three years to obtain studies that already have been obtained cannot result in the creation of reasonably foreseeable adverse environmental impacts, and no evidence has been submitted to support a contrary conclusion.
26.51	Districts(Attachment A #6)	6/19/06	The Revised TMDL itself satisfies the fair argument criterion and the environmental documents supporting the Revised TMDL do not meet the law's minimum requirements. Neither the checklist nor the Revised TMDL includes an analysis of the reasonably foreseeable impacts stated above, including the impacts of collapsing the schedule for construction and maintenance of pollution control devices or pollution prevention measures. Thus, the	See Response to Comment 26.46 and 26.50.

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			Regional Board here did not prepare a legally adequate first level EIR or its functional equivalent.	
26.52	Districts(Attachment A #7)	6/19/06	The Regional Boards' CEQA documentation is inadequate, and more analysis of possible environmental impacts is necessary for the preparation of an EIR or tiered EIR, or functional equivalent, as substantial evidence provided by the District raises a fair argument that this Revised TMDL may have significant impacts on the environment.	See Response to Comments 26.46 and 26.50.
26.53	Districts(Attachment A #8)	6/19/06	The Revised TMDL is inconsistent with policy set forth in Remand Order. The State Water Board clearly recommended a 13-year schedule, which could be extended even further if necessary to ensure that a sequential course of events occurred and that all studies and other necessary activities were done before the District embarked on planning and construction of advanced treatment that might not be necessary. The action being proposed by the Regional Board to collapse the implementation schedule in the Revised TMDL is exactly opposite of the action directed by the State Water Board.	The action proposed by Regional Board staff does not contradict the action directed by the State Water Board. The action is in accordance with Task 3 which mandates that the Regional Board reconsider the TMDL schedule in light of the results of the special studies one year after the effective date. A key special study has been completed that identifies the range of tolerance of salt sensitive crops to chloride. The TMDL planning and implementation tasks would be triggered based on the results of the LRE and GSWI studies, which is indeed sequential. The State Board did not recommend a "blanket" 13 years in Resolution 2003-0014, but the 13-year schedule, which included multiple tasks to be accomplished

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				by "Regional Board-specified dates", "sequentially and within 13 years of the effective date of the TMDL." The State Board remand addressed the concern that the Districts need not initiate construction of remedies that special studies may then prove to be unnecessary. The proposed action continues to be in accordance with the mandate because construction of implementation actions is still not required until the special studies are completed. The proposed TMDL Schedule preserves the eight year schedule for design and construction of advanced treatment remedies. Additionally, the proposed action preserves TMDL provisions for the Regional Board to reevaluate and extend the schedule during construction of the remedy.
26.54	Districts(Attachment A #9)	6/19/06	In addition, the State Water Board directed the Regional Board to reexamine the chloride objective and the agricultural beneficial use should a trigger for long-term alternate water supply be adopted and implemented. The Regional Board's reevaluation of the water quality objective for chloride was also recommended to include for beneficial uses to be protected,	The proposed action addresses reconsideration of the Implementation Schedule. The proposed revision to the Implementation Schedule preserves the requirement that the Regional Board reevaluate the water quality objective for chloride. This task has not yet been accomplished because the special studies are not yet completed. The proposed

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			the quality of the imported water supply to the Upper Santa Clara River watershed and the impacts of periods of drought or low rainfall. The Regional Board has not accomplished this direction from the State Water Board.	action addresses the direction of the State Board and moves the schedule forward for reevaluation of the water quality objective by one year.
26.55	Districts(Attachment A #10)	6/19/06	Finally, the State Water Board directed the Regional Board to find an integrated solution, which might be a single comprehensive TMDL, for all water quality pollutants on the 303(d) list in the Santa Clara River basin. The Regional Board has also not followed this direction.	Regional Board staff has initiated several initiatives to seek an Integrated solution to chlorides in the upper watershed. Staff initially considered the approach for integrating solutions for all pollutants; however, the solutions for all pollutants are not considered by staff because the nitrate impairments have already been addressed and a TMDL has been set by EPA for Reach 3 of the Santa Clara River. One of the key impediments to development of an Integrated solution was the District's failure and refusal to document its approach for a Regional solution, until the due date for comments on this action.
26.56	Districts(Attachment A #11)	6/19/06	It is not clear that the Regional Board complied with all the requirements of the California Water Code when the 100 mg/L chloride objective was originally adopted, or modified in 1994.	See response to comment 26.46. For the reasons expressed there, this record does not include records relevant to the adoption of the chloride objective in 1994.
26.57	Districts(Attachment A #12)	6/19/06	Although discharge of treated recycled water to the river under an NPDES permit can affect salinity levels, the applicable	A new water quality objective for chloride is not being set at this meeting. Water quality objectives are set to protect the

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			water quality control plan amendments and related environmental documents do not discuss in enough detail the environmental, economic, or water quality impacts of using the current chloride objective as end-of-pipe effluent limits.	most sensitive beneficial uses or better water quality if it exists.
26.58	Districts(Attachment A #13)	6/19/06	The State legislature knew that recycled water could be higher in salinity, but specifically exempted recycled water requirements from being denied solely on the grounds of salinity. *See* Water Code 13523.5; 13510.	See Response to Comment 26.46. In any event, the Districts recycle a miniscule quantity of WRP effluent – most of it is discharged directly to the USCR.
26.59	Districts(Attachment A #14)	6/19/06	Given the testimony of local farmers, it is not clear that salt-sensitive agriculture is an "existing" use in Reaches 5 and 6 and, as such, the agricultural (AGR) use should be sub-categorized and the salt-sensitive subcategory should be deemed to be unattainable for the Santa Clara River watershed. [continued in footnote # 20] In addition, no evidence exists that there is a legal, permitted right of the farmer(s) that grow salt sensitive crops to divert the surface water from the River for irrigation. This evidence is lacking in the record for this TMDL even though the District has requested numerous times that this information be determined and placed into the record. 40 C.F.R. 131.10(c) and (g).	See Response to Comment 26.46. Analysis of existing and potential beneficial uses can be examined as part of the existing TMDL requirements and is preserved in this action. The TMDL requires the Districts to undertake an antidegradation analysis which will then be considered by the Regional Board 4 years after the effective date. The present action maintains the due date for the antidegradation analysis based on the results of the special studies to date. Staff has advocated that the antidegradation analysis should be initiated now that the results of the LRE are available. Whether or not the farmers have authority to divert surface waters to grow salt sensitive or other crops, to the extent

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				relevant to the pollution control program, is properly directed to the adoption of the water quality standards, as demonstrated by commenter's reference to 40 CFR 131.10. It is not an appropriate comment to this proceeding that merely amends the time to comply with a previously established TMDL, a program to implement the existing water quality standards.
26.60	Districts(Attachment A #15)	6/19/06	[T]he District requests that the Regional Board take official notice of the fact that operation of a large-scale micro-filtration/reverse osmosis treatment facilities would result in production of highly saline brine for which an acceptable method of disposal would have to be developed and approved. It is not a foregone conclusion that brine discharge to the ocean would be approved or would meet Ocean Plan or Coastal Commission requirements. Consequently, any decision that would require use of more advanced treatment than tertiary to treat the District's recycled water on a large scale and on a compressed time schedule should involve a thorough consideration of the expected environmental effects of that requirement and thorough demonstration of the need for such a response. The Staff Report is not detailed	See Response to Comments 26.46 and 26.50. The only compressed schedule attendant with this action is to eliminate three of the five years to develop special studies. The impacts alleged should have been directed (if they were not) to the adoption of the TMDL in the first instance. If the Districts determine that the previously identified foreseeable means of compliance ultimately prove to be infeasible, they will need to perform their own environmental analysis pursuant to CEQA to evaluate impacts attendant with their actual manner of compliance. No evidence has been submitted that any impacts would be attendant with eliminating the un-needed three years to perform special studies.

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			enough on these points.	
26.61	Districts(Attachment A #16)	6/19/06	Unfortunately, the proposed acceleration of the TMDL implementation schedule may not allow for adequate assimilation studies to allow for an equitable allocation of the TMDL loadings.	See Response to Comment 26.46. The allocation of the TMDL loadings already occurred when the TMDL was established. This amendment does not alter those allocations. Task 5 of the TMDL, Groundwater Surface Water Interaction Model, addresses assimilation studies. The proposed action is designed to allow for adequate assimilation studies. The proposed action allows for an extension of the GSWI, thereby allowing appropriate assimilation studies to be completed.
26.62	Districts(Attachment A #17)	6/19/06	Construction and operation of more advanced treatment facilities than the current tertiary facilities to treat a significant portion of the discharge from the District's WRPs, prior to allowing adequate time for implementation of other pollution prevention measures to reduce the salt load in the river, would not be a reasonable approach. Given that the chloride objective may be changed in the future, implementation of high cost treatment to meet current objective is unreasonable. *See accord* State Water Board WQ Order No. 2005-0005; Water Code 13000.	See Response to Comment 26.46. It would be helpful if the commenter cited to a specific page in the 24-page Manteca Order (WQ Order No. 2005-0005). The commenter has essentially copied numerous paragraphs from the middle of that Order. The Order, however, is not relevant. The Manteca Order related to EC objectives in the Delta where the State Board expressly stated: "Although the ultimate solutions to southern Delta salinity problems have not yet been determined, previous actions establish that the State Board intended for permit effluent limitations to play a limited role with

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				respect to achieving compliance with the EC water quality objectives in the southern Delta." (WQ Order No. 2205-0005, p. 12-13.) Unlike that case, the instant TMDL has always contemplated that the Districts' waste water discharge would play a substantial role in achieving salinity objectives. The State Board considered the need to construct and operate chloride removal facilities in addition to the current tertiary facilities, and recognized the need that advanced treatment may be required to meet the WQO when it remanded and subsequently approved the TMDL and provided 8 years as an adequate time to construct the facilities. The duration of 8 years is consistent with the schedule provided by MWH, who developed cost estimates for the advanced treatment. Furthermore, source control has been underway for more than three years with limited impact to the chloride loadings to the USCR. The Districts have not provided information to show that Source control alone will protect beneficial uses.
26.63	Districts(Attachment A #18)	6/19/06	The District believes that many, if not all, of the six regulatory standards under the APA have not been met in this case.	Staff is comfortable that the amendment satisfies the requirements of the APA.
26.64	Districts(Atta	6/19/06	First, the District fails to see that the	The existing TMDL requires the Regional

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	chment A #19)		Regional Board has met the substantial evidence test demonstrating a need for this revised regulation. The changes are not necessary to effectuate the purpose of the statute, court decision, or other provision of law that the Revised TMDL implements, interprets, or makes specific, taking into account the totality of the record… Given that, if anything, the controllable sources of chloride are being reduced, a good showing of necessity for a collapse of the TMDL implementation schedule is noticeably absent from the Revised TMDL.	Board to reconsider the Implementation Schedule one year after the effective date based on the results of the special studies. Under the District's theory, the "necessity" standard could always be obviated if a stakeholder desires more time to comply. That is not tenable. To achieve compliance, thus attainment of standards in the most expeditious time, an amendment to the TMDL compliance provisions is "necessary", otherwise standards would not be attained for an additional three years. Attaining standards expeditiously is consistent with the Clean Water Act and the California Water Code.
26.65	Districts(Attachment A #20)	6/19/06	Second, the District is unclear as to the authority of the Regional Board to make these revisions to the Chloride TMDL at this juncture. The TMDL set out certain points in time where the TMDL would be reopened. The Revised TMDL does not correspond with the adopted reopener provisions allowing for *extensions* to the implementation schedule and, therefore, it is unclear what authority the Regional Board has to propose these revisions at this time.	The proposed Regional Board action is in accordance with the TMDL. It is also timely given the results of studies to date and Board direction has also been issued to staff to reconsider the implementation plan. The TMDL does not limit these actions to extensions. Furthermore, the term "reopener" is an unfortunate misuse of an NPDES permitting term, that does not apply to basin planning. The Regional Board has plenary authority to "reopen" or reconsider any basin plan provisions (Regional Board regulations) whenever it deems it appropriate, irrespective of the fact that the Regional Board has

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				committed to do so on certain dates. The Regional Board cannot regulate away its regulatory authority.
26.66	Districts(Attachment A #21)	6/19/06	Third, the District believes that the Revised TMDL lacks the required clarity… Several different numeric values are indicated in the Staff Report as being the target objective (ranging from 100 mg/L to 120 mg/L) with no indication whether this applies at a single location (e.g. Blue Cut, or the point of diversion for agricultural use) or throughout the watershed. If throughout the watershed, it is unclear why such an objective is required if the water is only being used for off-stream agricultural uses in certain areas.	See Response to Comment 26.46. The proposed action does not modify the water quality objective or the TMDL targets– the schedule revisions are clear.
26.67	Districts(Attachment A #22)	6/19/06	Fourth, the Revised TMDL lacks consistency with the law, and with the previous State Water Board remand order as discussed above… Because the District believes the current water quality objective is unreasonable, regulations to implement that objective are inconsistent with law, especially when being proposed to include a more rapid timeframe than one already approved, which contained adequate time and opportunity to review and revise the existing objective.	See Response to Comment 26.62. The proposed action is not inconsistent with the law or the State Board remand because the revised schedule maintains the action to reconsider the water quality objective. The Districts' belief that the objective is unreasonable does not render the objective or its implementation contrary to law.
26.68	Districts(Attachment A	6/19/06	Fifth, the District believes that the revised TMDL lacks adequate reference to a	See Response to Comments 26.46 and 26.65. The proposed item is not a revision

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	#23)		statute, court decision, or other provision of law which the Regional Board is implementing, interpreting, or making specific by amending the Chloride TMDL at this time.	of the TMDL, but a revision of its implementation provisions. The proposed action is referenced to the TMDL Implementation Schedule which requires the Regional Board to reconsider the TMDL Implementation Schedule one-year after the effective date.
26.69	Districts(Attachment A #24)	6/19/06	Finally, the District believes that the Revised TMDL merely duplicates existing regulations. The current TMDL regulates chloride as does the Revised TMDL. There is no legal requirement that the TMDL be a certain length of time, and under the Water Code, the implementation schedule, as a water quality regulation must be reasonable. Water Code 13000. Other TMDLs in the State have recognized that water quality impairments may take much more than 13 years to remedy. This Revised TMDL need not change the current TMDL, which has already been approved and is being implemented timely.	Staff partially agrees that the proposed actions need not revise the TMDL. It is noted that other TMDLs may take less time than 13-years. Implementation Schedules are designed to provide sufficient time to implement appropriate actions to attain water quality objectives so that beneficial uses do not remain impaired longer than necessary. Clean Water Act section 101(a) dictates the national goal to "restore and maintain the chemical, physical, and biological integrity of the Nation's waters," and that "the discharge of pollutants into the navigable waters be eliminated by 1985." Allowing more time than is necessary to achieve compliance with standards would be contrary to the goals of the Clean Water Act. This issue has been studied since 1990. This time plus the timetable under the current TMDL, result in 28 years passing before the water quality standards will be achieved.

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26.70	Districts (Attachment B #1)	6/19/06	The District disagrees with the Regional Board Staff Report's second sentence that "Completion of the first Special Study, the Literature Review and Evaluation (LRE), provided a scientifically defensible baseline to support a Water Quality Objective (WQO) that is protective of agricultural supply beneficial use (AGR)." As discussed in our comments in Section A, the LRE recommended irrigation guidelines between 100-117 based on the best available science, and determined that an absolute threshold could not be determined from the available science. These guidelines were based on leaf-tip burn for avocado, and not based on yield, the most important metric. As Figures A-I, A-2, A-3 and A-4 shows, production and total crop value for avocados and strawberry in Ventura County have continued to increase, showing no evidence that these crops are being adversely affected. The District request that the staff report be revised accordingly. The Regional Board should use the guideline information to set an appropriate Water Quality Objective while taking into account that salt sensitive crops are not commercially grown in Reaches 5 and 6 of the Santa Clara River.	Staff disagrees. On page 5-1, the LRE finds that "the recommendations for the Cl thresholds that are above 100 mg/L converge on 120 mg/L (approximately)." On page 5-2, the LRE states that "(a)lthough there is clearly not enough evidence to propose an absolute threshold with the literature presently available, the best estimate of a Cl hazard concentration ranges from 100 to 120 mg/L." Additionally, on page 7 of the Critical Review Report, "(t)he TAP majority suggests that 117 mg/L would be the conservative upper-protective limit." Although the range of 100 to 117 mg/L is a Guideline Concentration and not a Threshold Concentration, it is important to note that the Staff Report found this range to be a "scientifically defensible baseline" and not an absolute threshold. On page 18 of the CRR, Steve Grattan states: "I believe positive and useful conclusions can be reached and used by the Regional Board." Similarly, on page 19, John Letey finds that "pertinent information is provided which can serve as a basis for setting a guideline number." On page 22, Letey continues: "Now I conclude that the intended goal has been achieved. Reliable scientific information is available for use by the policy makers." On page 29, Darrell Nelson

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				concludes: "My closing comment/suggestion is that we continue to use the well-established industry standard for evaluating the suitability of irrigation water for salt-sensitive plants. That standard is 1 mg/L or less of boron, 100 mg/L or less of chloride and 1,000 mg/L or less of TDS." Based on the results of the LRE and the comments by the TAP, staff finds that the range of 100 to 117 mg/L chloride is indeed a scientifically defensible ***baseline*** from which a reasonable WQO objective can be established. In fact, on page 21 John Letey explicitly states that "adequate scientific information is available to make an informed decision on water quality objectives for the river."
26.71	Districts (Attachment B #2)	6/19/06	The Regional Board Staff Report states "Staff finds that the costs of accelerating the TMDL planning and design tasks for advanced treatment, if implemented through sewerage fees in the Santa Clarita Valley, will not increase monthly sewage rates above the state average and median rates." As discussed in our comments in Section A, the District disagrees with the Regional Board Staff Report, and does not believe the staff report provides a compelling argument to accelerate the existing TMDL schedule.	The sewerage fees in the Santa Clarita Valley are approximately $10 and $14 below the state median and average monthly sewerage rates, respectively. At the time the Staff Report was written, the Board was unaware of a pending fee increase of approximately $5 to $8. Staff estimates a present value cost for advanced treatment (including brine line construction but not including the cost of an ocean outfall) of approximately $40 to $70 million. This cost could be absorbed by the SCVJSS ratepayers without raising

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				the monthly sewerage fees beyond the state average monthly fee (based on current fees, not counting a pending monthly fee increase of $5 to $8).
26.72	Districts (Attachment B #3)	6/19/06	Furthermore, as discussed in Comment Section D, requiring the District to initiate preplanning and design before Task 10 is completed would be a waste of public funds, given the uncertainty over what final chloride waste load allocations would ultimately apply… The District requests that the Regional Board Staff Report be revised accordingly to reflect the risk of spending public funds for preliminary planning and design efforts for a project that may be significantly altered or not even necessary pending the development of Site Specific Objectives (SSO) and a change to the final Water Quality Objective (WQO).	The Districts would not be required to initiate preplanning and design before the completion of Task 10. Rather, the "Reconsideration of the Chloride TMDL" would be based on the results of the GSWI, and thus moved forward in the implementation schedule. Therefore, the preplanning and design tasks would occur after Task 10 and after the possible establishment of an SSO and/or revised WQO.
26.73	Districts (Attachment B #4)	6/19/06	The Regional Board Staff Report incorrectly lists the Extended Study Alternatives (ESA) as one of the four major studies included in the TMDL Implementation Plan. The ESA is one element of the Agricultural Chloride Threshold Study TMDL requirement.	Staff will revise the report and clarify that the ESA is not one of the four major studies included in the TMDL Implementation Plan.

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26.74	Districts (Attachment B #5)	6/19/06	For the Agricultural Chloride Threshold Study, additional studies could be conducted to determine a site-specific threshold. As discussed in Comment Section A, the District will have to consider initiating such studies, if the Regional Board does not apply the LRE guidelines at the point-of-use, as a reasonable water quality objective.	Staff is concerned that an accurate and reliable Agricultural Chloride Threshold Study cannot be completed in a timely manner and that attainment of the final WQO by 2018 would be jeopardized if reconsideration of the Chloride TMDL is delayed until completion of this study. Page 7 of the TAP Critical Review Report states that "(t)he TAP majority believes it would be possible to do controlled greenhouse or laboratory studies that would give a correct range of chloride values that caused damage to avocados with a particular scion/rootstock combination. Nevertheless, TAP majority members indicated that it would be difficult to extrapolate those lab results to the field." On page 15, Steve Grattan elaborates: "once the results and improved thresholds have been established, the data would have to be related to field conditions taking a number of assumptions into account and realizing that all the factors presented in the figure under the first point are re-considered. Therefore, the result will still have a range of uncertainty to protect avocado or strawberry under a range of site-specific conditions." On page 15, Ken Tanji does recommend extended studies, but finds

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				that "(d)etailed monitoring of leaf injury, tissue analyses, growth parameters and yield should be taken over a period of 7 to 10 years. Staff finds that such lengthy studies would jeopardize the attainment of a reasonable WQO by 2018. On page 16, Ben Faber is less optimistic: "The difficulty of trying to establish a threshold in the field would be virtually impossible. The size of the trial alone would be hard to justify, but the number of years that would be required is not economically feasible." Oleg Daugovish concurs: "The lab or single site study would have limited value due to lack of practical applicability, alternatively a really complex multi-site multi-year study probably would not be feasible if the chloride level determination is the only objective." On page 21, John Letey provides the strongest criticism of extended threshold studies: "I don't think that an experiment can be practically conducted that will provide significantly more or better information. If there were difficulties in designing greenhouse experiments to obtain the desired information, why would one expect to accomplish it in the field where the complexity increases by an order of magnitude?"

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26.75	Districts (Attachment B #6)	6/19/06	The Regional Board Staff Report states, "Two endangered fish, the unarmored stickleback and the steelhead trout, are resident in the river." The District requests this statement be clarified to indicate the steelhead trout is found only in the lower portion of the Santa Clara River, west of Piru Creek.	Staff notes that "the river" and "the lower portion of the Santa Clara River" are not mutually exclusive.
26.76	Districts (Attachment B #7)	6/19/06	The Regional Board Staff Report states, "The number of housing units in the watershed is estimated to increase by 187 percent from 1997 to 2025." The District requests that a reference for this estimate be provided.	Staff will revise the report to include the most recent data from SCAG (6/02), as well as data from DDS Marketing, which predict that the population within the Santa Clarita Valley will increase from 187,172 in 1998 to 352,382 in 2025. Source: www.santa-clarita.com/cityhall/cd/ed/community_profile/demographics.asp.
26.77	Districts (Attachment B #8)	6/19/06	The Regional Board Staff Report states, "The upper reaches of the Santa Clara River include Reaches 5 and 6, which are located upstream of the Blue Cut gauging station, west of the Los Angeles-Ventura County line between the cities of Fillmore and Santa Clarita." This characterization of the location of Reaches 5 and 6 is factually incorrect and the staff report should be revised accordingly.	While the grammar of this statement is somewhat confusing, the description of the watershed is not inaccurate. The Blue Cut gauging station does indeed lie west of the LA-Ventura County line, between the cities of Fillmore and Santa Clarita. Staff will revise the description to read: "The upper reaches of the Santa Clara River include Reaches 5 and 6, which are located upstream of the Blue Cut gauging station that lies west of the Los Angeles-Ventura County line between the cities of Fillmore and Santa Clarita."

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26.78	Districts (Attachment B #9)	6/19/06	The Regional Board Staff Report states, "Two major point sources, the Saugus and Valencia WRPs, discharge to the USCR." The District requests that the Regional Board identify and list all other point and non-point sources of chloride discharging to the Santa Clara River watershed, and revise the staff report accordingly. Other point and non-point sources have been identified in Comment Section I, and contribute significant loading of chloride to the watershed, particularly, agriculture.	Staff listed the Saugus and Valencia WRPs as the *major* point sources, not the only point sources. For the purposes of the Staff Report, staff does not find it necessary to list every point and non-point source that discharges to the Santa Clara River.
26.79	Districts (Attachment B #10)	6/19/06	The Regional Board Staff Report states, "GWR is designated as an existing or potential use for the USCR" The District requests that the Regional Board clarify that GWR is designated as existing or potential use for the entire Santa Clara River watershed, according to the Basin Plan.	Staff notes that the designation of a GWR beneficial use for the USCR does not negate nor preclude the designation of that same beneficial use for the remainder of the Santa Clara River.
26.80	Districts (Attachment B #11)	6/19/06	The Regional Board Staff Report states, "Two types of endangered and rare aquatic species are known to reside in the watershed: steelhead trout and unarmored three-spine- stickleback." Steelhead trout are not found in the Upper Santa Clara River, Reaches 5 and 6, east of Piru Creek, due to the presence of the dry gap. The District requests that the staff report be revised accordingly.	Staff notes that the Report stated that steelhead trout “reside in the watershed.” This is not inconsistent with a lack of steelhead trout in the USCR.

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26.81	Districts (Attachment B #12)	6/19/06	The Regional Board Staff Report states, "The existing surface water WQO *is within the* threshold range *established* by the LRE." The District requests this statement be changed to "The existing surface water WQO *is at the lower end of the* guideline range *recommended* by the LRE."	Staff finds the current description of the WQO to be accurate.
26.82	Districts (Attachment B #13)	6/19/06	The Regional Board Staff Report fails to include more recent data in 2005 and 2006, which show that average chloride for the Santa Clara River near Blue Cut are currently complying with existing objective, and significant reductions in chloride concentrations have been observed over the last 2 years… The District requests that the staff report includes the most recent data showing water quality improvements and current compliance with the existing chloride objective.	Staff used the most current available data for the analysis presented in the Staff Report. Staff will consider revising the analysis based on the availability of additional data.

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26.83	Districts (Attachment B #14)	6/19/06	The Regional Board Staff Report states "the total chloride load from the Saugus and Valencia WRPs ranged from 23,500 ppd to 28,500 ppd in 2001 through 2005. The Saugus and Valencia WRPs contributed approximately 100% and 86% of the estimated total chloride load to the Upper Santa Clara River in 2002 and 2003, respectively." These findings fail to recognize the significant load reductions that have been achieved over the last few years. Actual chloride loading based on average annual flow and effluent chloride concentration indicates significant reduction in chloride loading since 2003… the District expects that 2002 and 2003 years represent anomalous conditions, which are not typical of the long-term conditions observed in the watershed.	The chloride loads (in ppd) reported in the Staff Report were taken from the 2002 and 2005 Chloride Source Reports prepared by the Districts. While the presentation of these daily loads does not recognize the recent reductions in loading, they do provide a range of daily chloride loads over the last 5 years.
26.84	Districts (Attachment B #15)	6/19/06	When comparing the composite water quality of the SCVJSS WRPs and the measured water quality at Blue Cut, a consistent 40-mg/L gradient between WRP outfalls and measured levels at Blue Cut were observed, with the largest gradients (43-49 mg/L) occurring during the anomalous years of 2002 -2003. This indicates that the percent loading estimates determined by the Regional Board are inaccurate, given that if the WRPs truly	Staff agrees and will remove the percent load contributions from the Staff Report. Staff will reserve judgment as to the nature of the gradient between the WRPs effluent chlorides and the Blue Cut gauging station until the results of the GSWI are available.

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			comprised 86 to 100% of the total load to the Upper Santa Clara River, there would be little, if any gradient, between WRP effluent chlorides and chloride measured in surface water near Blue Cut. Thus, the District requests that the Staff Report remove the percent load contributions, given the limitations of the use of stream gauging data, and because they don't represent actual conditions, which based on available surface water quality data, show that a 40 mg/L chloride gradient persists between WRP outfalls and surface water at Blue Cut.	
26.85	Districts (Attachment B #16)	6/19/06	The District's request Regional Board staff change references to "imported water supply" to *"blended water supply,"* in the Regional Board Staff Report. The Regional Board Staff Report incorrectly identifies contribution of chloride from imported water supply as 37% - 45% of the total SCVJSS load. These percentages for chloride loading represent the total blended water supply contribution, which includes both imported state water project water supply and local groundwater supply.	Staff will change the reference from "imported water supply" to "blended water supply".
26.86	Districts (Attachment B #17)	6/19/06	The Regional Board Staff Report contains factually incorrect information on SWP water chloride concentrations. Since 1971 SWP water has an average chloride concentration	Staff disagrees. Staff requests that Districts provide the source of the data point for June 1990. The range of SWP chloride concentration (28 mg/L to 128

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			of 66.6 mg/L, with a maximum concentration of 147.4 mg/L (June 1990), above the range of 28 mg/L to 128 mg/L stated by Regional Board Staff Report.	mg/L) was provided in a December 2005 report to LARWQCB by the Department of Water Resources, Operations & Maintenance, Water Quality Section, Water Quality Database Administrator.
26.87	Districts (Attachment B #18)	6/19/06	The Regional Board Staff Report noted, "growth within the SCV is accompanied by increasing demand for imported water and increasing chloride loads." Regional Board staff should also note that increased residential growth does not correspond to an increase in WRP effluent chloride concentrations, since new residential installations of SRWS are no longer permitted as a result of District's ban on prospective SR WS, enacted in March 2003. Increased residential flows will only serve to dilute effluent chloride concentrations, to some degree. As more residential SRWS are removed from the SCVJSS service area, the effect of this dilution will taper off.	Staff notes that “chloride loads” are not necessarily tied to chloride concentration. While residential growth will lead to increased WRP effluent flows and may lead to decreased effluent concentrations, the “chloride loads” will increase as more chloride is imported through the SWP to satisfy increased residential demand for water.

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26.88	Districts (Attachment B #19)	6/19/06	The Regional Board Staff Report indicates that the District projects to decrease effluent chloride concentrations to 100 mg/L by 2050 assuming no new SRWSs and dilution of existing SRWSs from flow increases. Regional Board staff has incorrectly interpreted the District's analysis and appear to ignore the key finding in the Chloride Source Report that the District could achieve the 100 mg/L WQO as an annual average by 2010, if all existing SRWS were removed from the system. In fact, if the Regional Board had performed a more careful evaluation of the Chloride Source report, they would have come to the conclusion that dilution of existing chloride concentrations from increased SCVJSS flow will have only a slight effect on further reducing SCVJSS effluent chloride concentration. The major decrease in concentration is directly attributable to removal of existing SRWS from the service area. Thus, it appears that the Regional Board is mis-stating the Chloride Source Report in order to portray that compliance can only be achieved in 2050 by dilution. This is definitely not the case, as the District's 2002 Chloride Source Report indicates that if all "grandfathered" residential SRWS and all prospective residential SRWS were prohibited, the	Staff will revise the Staff Report to more accurately reflect the findings of the 2002 Chloride Source Report. However, staff disagrees with the findings of the 2002 Chloride Source Report. As presented in the table on page 13 of the Staff Report, titled "Exceedance frequencies for different chloride WQOs assuming 0%, 50%, and 100% reduction in SRWS loads," even if all 'grandfathered' SRWS were removed, the effluent chloride concentration would still exceed 100 mg/L 27% of the time. This prediction is based on a statistical analysis of the historical chloride concentrations in SWP supply water. The Districts' prediction of a final effluent concentration of 97 mg/L for 2010, 2015, and 2050 is based on "a chloride concentration of 55 mg/L, which is the median chloride concentration of the blended water supply during a non-drought condition." The Districts' projection through 2050 of a median value of 55-mg/L chloride for the blended water supply does not accurately represent the variability of the chloride concentration in the supply water. Staff disagrees with the Districts' assessment of future effluent chloride concentrations and finds that the exceedance frequency table found in the

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			2010, 2015 and 2050 final effluent concentrations were all projected to be 97 mg/L, thus meeting the 100 mg/L WQO as an annual average by 2010. Given the mis-statements and inaccurate portrayals, the District requests that the Staff Report be revised accordingly to reflect an accurate representation of findings made by the District in its 2002 Chloride Source Report.	Staff Report is a more accurate representation of probable effluent chloride concentrations.

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26.89	Districts (Attachment B #20)	6/19/06	The Regional Board Staff Report states that the "chloride concentration difference between WRP effluent and SWP water increased sharply after 1991, suggesting increased contribution of chloride to the WRP effluent from SCV sources." This statement is factually incorrect. In this analysis, the Regional Board is implicitly assuming that the SWP water is the only source of potable water supply that is being supplied to the Santa Clarita Valley. The reality is that the water supply in the Santa Clarita Valley is a blend of imported water and local groundwater. In 1991, the percent contribution from SWP water dropped to 20%, meaning that 80% of the water supply for 1991 was derived from local groundwater. Thus, the sharp increase is likely due to an artifact of the Regional Board's analysis and flawed assumptions.	Staff disagrees. Staff based this comment not only on the sharp increase after 1991, but on the clear trend line from 1991 to present, which shows a continuing increase in the difference between WRP effluent and SWP water. Staff acknowledges that SWP water does not equate to blended water supply. However, staff finds that the difference between SWP chloride concentration and WRP effluent chloride concentration provides a good measure of variability. Additionally, staff finds that the 80% groundwater contribution to the blended water supply in 1991 is anomalous, and that as residential growth continues in the SCV, the SWP will represent an increasingly larger portion of the blended water supply. Therefore, the SWP chloride concentration will become an increasingly accurate predictor of blended water supply chloride variability in the future.
26.90	Districts (Attachment B #21)	6/19/06	The Regional Board Staff Report states that the "difference between WRP effluent and SWP water continues to increase despite the reduction in SRWS loads implemented in' 2003." This statement is also factually incorrect.	Based on available data, staff finds that this statement is factually correct.
26.91	Districts (Attachment	6/19/06	The District estimates that, with increased removal of residential SRWS, chloride	Staff disagrees. Staff finds that “increased removal of residential SRWS” will not

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	B #22)		loading can be lowered to approximately 42 mg/L above blended water supply.	lower the chloride concentration to 42 mg/L above blended water supply. The Districts must remove ***all*** residential SRWS to lower the chloride concentration to 42 mg/L above blended water supply.
26.92	Districts (Attachment B #23)	6/19/06	It is clear that the Regional Board is making a factually incorrect statement and misrepresenting the data. The District requests that the Staff Report be revised accordingly.	Staff disagrees. Staff does not find that the above statements are factually incorrect, based on available data.
26.93	Districts (Attachment B #24)	6/19/06	The Regional Board Staff Report incorrectly states an incremental load of 115 mg/L for the Valencia WRP… The District requests that the Staff Report be revised accordingly.	Staff will revise the Staff Report to reflect the interim effluent limit for the Valencia WRP of 134 mg/L above the SWP concentration.
26.94	Districts (Attachment B #25)	6/19/06	The Regional Board's exceedance frequency analysis is flawed. A time series analysis, as shown below, indicates that the majority of exceedances for each of the water quality objectives considered by the Regional Board occurred during period of drought (1987-1993) and/or drier than-normal (2000-2004) conditions, when water supply chloride concentrations are elevated… It is clear that the Regional Board's analysis is biased to show exceedances that are predominantly associated with drought and/or drier-than normal conditions.	Staff disagrees. Rather, staff finds that the Districts' exceedance frequency analysis is flawed. Probability analysis cannot be performed using only favorable data. Staff's probability analysis uses all available historic data for the SWP chloride concentration. The selective removal of large portions of the data set by the Districts is a disingenuous approach to probability modeling. There is no justification for removing unfavorable data from the data set.
26.95	Districts	6/19/06	If the Regional Board were to apply the	Staff notes that this scenario would require

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	(Attachment B #26)		typical 40 mg/L gradient as identified in their Staff Report, a 100 mg/L WQO at point-of-use (Blue Cut), would be achieved during non-drought periods, which would be protective of salt-sensitive agriculture, according to the LRE guidelines.	two changes to the existing TMDL. First, the chloride concentration would need to be measured at Blue Cut rather than as an instantaneous concentration throughout the USCR. Second, the WQO would need to be suspended or substantially raised during drought conditions. Staff cannot recommend, nor predict the likelihood that these changes will occur.
26.96	Districts (Attachment B #27)	6/19/06	The District requests clarification of The Regional Board Staff Report's estimate that chloride concentrations in the blended water supply may likely rise to 130 mg/L.	Staff based this finding on the increasing contribution of SWP to the blended water supply, the probability of future drought conditions, and the historical maximum chloride concentration of SWP water.
26.97	Districts (Attachment B #28)	6/19/06	The Regional Board Staff Report speculates that residential SRWS removal may not continue at the current rates. The Regional Board Staff Report also finds that it is unlikely the District's outreach efforts will result in more than 50% removal of SRWS. As discussed in Comment Section F, the District strongly disagrees with the Regional Board Staff Report's assessment that the maximum participation rate in the rebate program will be 50%. The District is targeting a removal rate of 100% of the residential SRWS to reduce chloride loading to the Santa Clara River and achieve compliance with future chloride WLAs. As previously discussed, the phone survey data	Although the prediction of 50% participation in a rebate program of $1,000 may be based on outdated data, the Districts' expectation of 100% removal is not based on any data. The current removal incentive of $100 (or $150 for removal and replacement with an acceptable alternative) is 5 to 10 times below the cost for removal and/or replacement. This large financial disparity between incentive amount and removal and/or replacement cost is one of the factors that staff considered when predicting removal participation rates. If the removal incentive amount were increased to 100% of the removal and

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			used to support the Regional Board Staff Report's conclusion is outdated, collected before public outreach efforts had started, and the community's awareness and attitude has shifted. Coupled with the new rebate program, an upgraded alternatives webpage, and an aggressive public outreach campaign promoting the new programs, the District expects a very high voluntary removal rate of residential SRWS. In addition to pursuing updated programs to address comments from the community, the District along with the city of Santa Clarita are pursuing legislation to ban all existing residential SRWS. This legislation will give the District the authority to remove existing residential SRWS in the Valley. The details of these new programs are discussed in Comment Section F. The District is confident that source control will achieve compliance to the LRE guidelines at the point-of-use.	replacement cost (as proposed by SB 475), then participation rates may rise above 50%. However, there is no available data (historical data or prospective survey data) to predict the participation rate under an increased removal incentive program.
26.98	Districts (Attachment B #29)	6/19/06	The Regional Board Staff Report asserts that chloride loading from non-SRWS residential sources is increasing. While this is true, it is basically due to increase in WRP effluent flows, and not non-SRWS residential sector chloride concentrations.	Staff notes that chloride loading can increase even if chloride concentration remains the same (due to increased WRP effluent flows). The Staff Report did not assert that non-SRWS chloride concentrations are increasing.

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26.99	Districts (Attachment B #30)	6/19/06	The Regional Board Staff Report refers to established Southern California salinity management facilities, Arlington Desalter Facility and the Santa Ana Regional Interceptor (SARI). Advanced treatment at this facility is required for groundwater injection and not to meet NPDES discharge requirements for discharge to surface water. If advanced treatment is required for the Valencia and Saugus WRPs, these WRPs would be the first POTWs required to install MF/RO for the sole purpose of complying with NPDES permit requirements for discharge to surface water.	The existing desalination facilities were listed as examples of operational desalination programs, and were not intended as examples of precedent for desalination of WRP effluent.
26.100	Districts (Attachment B #31)	6/19/06	It should be noted that the purpose for the City of Los Angeles RO facility at the Terminal Island Treatment Plant is for groundwater injection, which has significantly different requirements than NPDES discharges to surface water. The relevance of this statement is unclear.	The City of Los Angeles RO facility was mentioned as an example of an operational RO plant.
26.101	Districts (Attachment B #32)	6/19/06	The District' request that the Regional Board Staff Report's statement that "Based on analysis of historic chloride levels in imported water, staff finds that a reasonable WQO within the range of 100 -117 mg/L established by the LRE cannot be attained without advanced treatment of WRP effluent" is modified to indicate that a WQO within the specified range cannot be	The WQO attainment proposed by the Districts would require two changes to the existing TMDL. First, the WQO would need to be measured at Blue Cut rather than as an instantaneous concentration throughout the USCR, thus not protecting the entire reach and potential beneficial uses. Second, the TMDL would need to include a provision for suspension or

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			attained at end of pipe but can be attained at the point of use during non-drought periods. The District's believe that a reasonable WQO objective can be attained, during non-drought conditions, at the point of diversion where the use first occurs.	revision of the WQO during drought conditions, which does not exist in the current TMDL. Consideration of the water quality standard is not a part of this proposed action.
26.102	Districts (Attachment B #33)	6/19/06	At 100% SRWS removal, compliance of a 100 mg/L point-of-use objective can be achieved nearly 100% of the time.	Staff finds that at 100% removal of SRWS, a WQO of 140 mg/L instantaneous concentration (which is roughly equivalent to at 100 mg/L WQO at point-of-use) would be exceeded roughly 10% of the time.
26.103	Districts (Attachment B #34)	6/19/06	Regional Board staff indicated a WQO above 117 mg/L is not supported by the LRE. District requests clarification if a WQO objective of 120 would be considered by the Regional Board.	Staff notes that the Guideline Concentration range presented in the LRE is 100 to 117 mg/L. However, on page 5-1 of the LRE, the authors state that "the recommendations for the Cl thresholds that are above 100 mg/L converge on 120 mg/L (approximately)." Staff cannot predict what change to the WQO, if any, would be considered by the Regional Board. Protection of the most sensitive beneficial use is not the only consideration when establishing the water quality standard.
26.104	Districts (Attachment B #35)	6/19/06	As indicated in Comment Section A, The Regional Board Staff Report's finding that advanced treatment of 7.7 MGD and removal of 75% of residential SRWS is required to meet a WQO of 120 mg/L is	The RO plant size of 7.7 is a planning-level estimate and is based on several assumptions, including average effluent chloride concentration, existing and likely

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			based on assumptions of average water supply chloride concentration for drought and non-drought conditions and does not reflect worst case conditions for SCVJSS effluence chloride concentration for drought and non-drought conditions. This scenario described by the Regional Board would not guarantee compliance with the WLA.	WQO, location of WQO measurement, and current discharge flow rate. Several of these assumptions are based on aspects of the TMDL that are not yet decided. A more detailed design estimate would be required before construction of an RO facility could commence.
26.105	Districts (Attachment B #36)	6/19/06	The District agrees that chloride concentrations in the East Piru wells are similar to those measured in the Santa Clara River near Blue Cut. Recharge from the river does appear to be a factor in chloride concentration trends observed in groundwater in this area; however, contributions from the river do not appear to be the only factor since there are other water quality parameters present at higher concentrations in the groundwater than in the river water.	Contribution of chloride from the river does appear to be a factor in chloride concentration trends observed in East Piru wells.
26.106	Districts (Attachment B #37)	6/19/06	The Regional Board Staff Report also states the claim that "[t]he high salt loading in the eastern basin may further cause degradation of the remainder of the Piru basin by migrating downgradient." The District maintains that the sparse historical data in East Piru Subbasin do not provide evidence of a chloride plume moving through the Piru Subbasin, and the lack .of "lag" between upgradient and downgradient concentrations in East Piru groundwater	Staff cited conclusion made by the UWCD, an agency with many years of expertise in water supply, water quality, and management in the Santa Clara River and underlying groundwater basins. Staff agrees that the specific mechanisms will be better understood as part of the GSWI modeling study.

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			suggest that a different mechanism other than "plume" movement is occurring in these wells. The specific mechanisms will be better understood as part of the GSWI modeling study, but it appears that historically water quality varies in these specific wells concurrently and increase and decrease with respect to measured concentrations in the river. Key "interface" wells located near Piru Creek do not show a consistent and gradual increase in chloride, which would be expected if concentration changes were caused by westerly movement of a "chloride plume."	
26.107	Districts (Attachment B #38)	6/19/06	The District would likely pursue extended studies if the existing WQO is applied at the end-of-pipe.	Staff notes that the pursuit of extended studies would not obviate the need to comply with the final WQO by 2018. Also, see response to comment 26.74.
26.108	Districts (Attachment B #39)	6/19/06	The District requests a statement be added to this section to indicate that the ESP study was performed voluntarily by the District in advance of the effective date of the Upper Santa Clara River Chloride TMDL in an effort to ensure that study obligations contained in the TMDL were completed within time periods specified in the original implementation schedule.	Staff appreciates that the ESP study was performed in advance of the TMDL deadline. However, staffs also notes that the GSWI is currently 7 to 10 months behind schedule.
26.109	Districts (Attachment B #40)	6/19/06	Regional Board staff should note that the Anti-degradation Analysis task cannot be initiated until the GSWI Modeling study and all other studies required in the existing	Staff disagrees. Staff notes that in the current TMDL, Task 8, the Anti-Degradation Analysis, is due before Tasks

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			TMDL are completed.	9 and 10, the pre-planning and cost evaluation reports and the Evaluation of Alternative Water Supplies report. Therefore, the Anti-Degradation Analysis is due to be initiated before the completion of several other studies, including GSWI.
26.110	Districts (Attachment B #41)	6/19/06	Regional Board staff should note that pollution prevention activities include a voluntary sales ban of not only SRWS by home furnishing and plumbing stores but also a voluntary sales ban of salt for use with existing SRWS by these stores.	Staff will note the voluntary sales ban on salt for use with existing SRWS by home furnishing and plumbing stores.
26.111	Districts (Attachment B #42)	6/19/06	The Regional Board Staff Report states the understanding that only 30 rebates have been issued as part of the District's residential SRWS rebate program. It should be noted that at this time, over 250 applications have been received as part of the residential SRWS rebate program.	Staff was reporting the number of rebates that have been issued not the number of applications that have been received. Staff is interested to learn the number of applications that have been granted out of the 250 applications received. Additionally, staff notes that if all of the 250 applications were granted, this would represent removal of less than 4% of the remaining 6,500 SRWS.
26.112	Districts (Attachment B #43)	6/19/06	The Regional Board Staff Report finds that since pool draining operations convey water to the Santa Clara River by stormwater sewers, the ban on connection of salt-water swimming pool drains to the SCVJSS collection system will have little effect on chloride loading to the Santa Clara River. This is an incorrect statement. It is not	Regional Board did not allow exemptions for discharges from pool draining operations to storm drains in MS4 permit. Staff states the fact that salt-water from swimming pool more conveniently drains to stormwater sewers.

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			unusual for homeowners to connect their pool overflow and drain systems to the sewer. With the increasing popularity of salt-water pools, the District believes it was critical to enact an ordinance prohibiting their discharge to the sewer before the' loads become a problem. Regardless, the Regional Board should not allow exemptions for these types of high chloride discharges to storm drains in MS4 permit, since they would be discharging into an "impaired" water body for chloride.	
26.113	Districts (Attachment B #44)	6/19/06	The Regional Board Staff Report states that treatment of 20-50% of the SCVJSS effluent flow will be necessary to attain the existing WQO. As discussed in Comment Section A, the District finds Regional Board staff's calculations underestimate the percentage of effluent flow requiring treatment in order to attain the existing WQO, and are not comparable, because they do not include cost of brine disposal and do not consider that compliance with the WQO is required at every moment in time (since it is an instantaneous maximum) even during periods of diurnal peak loading.	The staff estimate of the percentage of effluent flow that would need to be treated to attain the WQO is a planning-level estimate and is based on several assumptions, including the average effluent chloride concentration, the existing and likely WQO, the location of WQO measurement, and the current and projected effluent flow rate. Several of these assumptions are based on aspects of the TMDL that are not yet decided. A more detailed design estimate would be required before planning and construction of an RO facility could commence.
26.114	Districts (Attachment B #45)	6/19/06	The Regional Board Staff Report also estimates operation costs for the SCVJSS proposed advanced treatment based on LAIRP estimates and flawed volume of	Staff finds that the present value cost of advanced treatment to comply with the WQO ranges from $40 to $70 million. Staff will review and consider the cost

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			treated flow requirements necessary to attain existing WQO. The District's report titled, "Cost impacts for compliance with a 100 mg/L instantaneous chloride discharge limit at the Santa Clarita Valley Water Reclamation Plants" provides estimates of operation and maintenance costs associated with proposed MF/RO facilities at the Saugus and Valencia WRPs, to achieve compliance to the existing 100 mg/L WQO. These cost estimates are included in Attachment E, and are considerably more costly.	estimates provided in Attachment E.
26.115	Districts (Attachment B #46)	6/19/06	The District estimates that sewerage rates would quadruple in order to comply with the existing water quality objective, and would thus be well above state mean and median monthly service charges, if required to install advanced treatment for the SCVJSS.	Staff finds that the present value cost of advanced treatment to comply with the WQO ranges from $40 to $70 million. This cost would not cause sewerage rates to quadruple.
26.116	Districts (Attachment B #47)	6/19/06	The District projects monthly service fees for the SCVJSS increasing by between $5 and $8 per month, in part due to costs associated with these TMDL special studies. Additional monthly rate increases will be required for implementation of any advanced treatment, if required, and will be considered in any future advanced treatment planning and implementation studies by the District.	Staff was unaware of the pending $5 to $8 increase in monthly sewerage fees at the time the Staff Report was written.

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26.117	Districts (Attachment B #48)	6/19/06	The Regional Board Staff Report failed to provide any information about the desire of the Santa Clara River watershed stakeholders to develop a salinity-management working group to discuss salinity issues on a regional basis.	Staff agrees that a Regional Approach may be an effective approach to chloride issues in the Upper Santa Clara River. Regional Board staff has been pursuing a Regional Approach with stakeholders, but due to the wide differences in interests between stakeholders, including the Districts, a common basis for pursuing a Regional Approach has not been identified.
26.118	Districts (Attachment B #49)	6/19/06	Regional Board staff has misinterpreted the District estimates for attaining a 100-mg/L WQO in the 2002 Chloride Source Report. Regional Board Staff Report indicates the District projects attaining 100 mg/L in 2050; however, the District's 2002 Chloride Source Report indicates that if all "grandfathered" residential SRWS and all prospective residential SRWS were prohibited, the 2010, 2015 and 2050 final effluent concentrations were all projected to be 97 mg/L, thus meeting the 100 mg/L WQO.	Staff will revise the Staff Report to more accurately reflect the findings of the 2002 Chloride Source Report. However, staff disagrees with the findings of the 2002 Chloride Source Report. As presented in the table on page 13 of the Staff Report, titled “Exceedance frequencies for different chloride WQOs assuming 0%, 50%, and 100% reduction in SRWS loads,” even if all ‘grandfathered’ SRWS were removed, the effluent chloride concentration would still exceed 100 mg/L 27% of the time. This prediction is based on a statistical analysis of the historical chloride concentrations in SWP supply water. The Districts’ prediction of a final effluent concentration of 97 mg/L for 2010, 2015, and 2050 is based on “a chloride concentration of 55 mg/L, which is the median chloride concentration of the

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				blended water supply during a non-drought condition." The Districts' projection through 2050 of a median value of 55-mg/L chloride for the blended water supply does not accurately represent the variability of the chloride concentration in the supply water. Staff disagrees with the Districts' assessment of future effluent chloride concentrations and finds that the exceedance frequency table found in the Staff Report is a more accurate representation of probable effluent chloride concentrations.
26.119	Districts (Attachment B #50)	6/19/06	The District requests additional information explaining the reasoning for the claim that the current TMDL will increase chloride loading by 14,000 tons relative to the original TMDL. Presumably, this estimate is calculated from the difference between chloride loading from interim limits in the original TMDL (187 mg/L for Valencia and 200 mg/L for Saugus) and the existing TMDL (134 mg/L above SWP water for Valencia and 114 mg/L above SWP water for Saugus, not to exceed 230 mg/L). Under the original TMDL and assuming a constant flow of20 MOD and 13 year implementation period, the chloride loading is approximately 75,000 tons, under the existing TMDL the chloride loading is approximately 90,000	Staff stated agricultural stakeholders' concern. Staff is not authorized to change loading that agricultural stakeholders stated when expressing their concern.

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			tons, consequently the difference in chloride loading is an additional 15,000 tons for the existing TMDL, similar to the 14,000 estimate above. This calculation is not appropriate and misrepresents future loadings because it assumes SCVJSS effluent chloride concentrations at the level of the interim limit when in fact, the SCVJSS effluent chloride concentrations have been well below the interim maximum limit of 230 mg/L since adoption of the current TMDL. Over the last 12 months (May-05 through April-06) the average chloride concentration for the Saugus and Valencia WRPs has been measured at 124 and 141 mg/L, respectively, well below the 230-mg/L limit. Also, the chloride loading has been reduced 4,000 pounds per day over the last three years, from 2002 - 2005 and will continue to be reduced as further progress is made in removing existing residential SRWS.	
26.120	Districts (Attachment B #51)	6/19/06	The last sentence should be clarified as follows: The implementation period for planning and construction of advanced treatment; if required, is 8-years.	Staff will make change as indicated in the Staff Report.
26.121	Districts (Attachment B #52)	6/19/06	The Regional Board Staff Report states that at least 10 years of extended agricultural studies will be required to obtain sufficient data to support revision of WQO beyond range established in LRE. The District	Staff finds that the timeframe and accuracy of extended agricultural chloride threshold studies is difficult to determine. See response to comment 26.74.

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			disagrees as noted in Comment Section A, and believes that extended studies can be completed in less than 10 years. The District believes that the Regional Board also grossly overstates the time required to complete these studies. The District will seriously consider pursuing these studies if the existing WQO is applied at end-of-pipe.	
26.122	Districts (Attachment B #53)	6/19/06	The District projects monthly service fees for the SCVJSS are increasing by between $5 and $8 per month, in part due to costs associated with these TMDL special studies. Therefore, the statement that the SCVJSS monthly service charges are currently 50% less than statewide average of $26.08 is inaccurate.	At the time that the Staff Report was written, staff was unaware of the pending $5 to $8 increase in monthly sewerage fees. Therefore, the statement that the monthly sewerage fees for SCVJSS customers were 50% less than the statewide average of $26.08 was not inaccurate.
26.123	Districts (Attachment B #54)	6/19/06	As previously discussed and as indicated in Comment Section A, The Regional Board Staff Report's finding that advanced treatment of 7.7 MOD and removal of 75% of SRWS is required to meet a WQO of 120 mg/L is based on assumptions of average water supply chloride concentration for drought and non-drought conditions and does not reflect worst case conditions for SCVJSS influent chloride concentration for drought and non-drought conditions. It should be noted that treatment of this portion of flow would also not consistently achieve daily maximum and instantaneous	See response to comment 26.104.

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			chloride targets.	
26.124	Districts (Attachment B #55)	6/19/06	The Regional Board Staff Report includes extending the due date of the GSWI study from May 2007 until November 2007 under Alternative 4. In the staff report, the Regional Board portrays that the GSWI study is a minimum of 7 months behind schedule due to delay in selection of GSWI study consultants and delay in data collection due to development of confidentiality agreement. This is an inaccurate portrayal, since the seven-month delay is due to complications associated with the confidentiality agreement, and not due to contractor selection. In Attachment P, the District provided justification that the schedule for completion of GSWI model (TMDL Task 5) should be extended 10 months, with delivery of the final report by February 20, 2008. The District noted that the additional three months was for time lost due to assuring stakeholder collaboration in the selection of the GSWI model contractors. This would provide a 3-month float in the schedule (equivalent to the time lost during the contractor selection process) to account for future factors outside the control of the District that are directly related to assuring collaboration amongst stakeholders.	Regional Board staff did not portray that the GSWI study is a minimum of 7 months behind schedule in the Staff Report. At the January 17, 2006 TWG Meeting, Contractors provided an updated schedule to account for the various delays. This schedule pushes back the delivery of the final report to the November 20, 2007, seven months after the delivery date specified in the original schedule. The District requested an additional 3-month float in the schedule, which is unnecessary considering the continuing loading of chloride into the river.
26.125	Districts	6/19/06	Pending, whether the Regional Board	Regional Board staff will discuss the

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	(Attachment B #56)		accepts the District's alternative proposal (discussed in Comment Section 1), the District is requesting a further extension of the GSWI model schedule through December 2008, to allow for more time to extend the geographic scope of the GSWI model to the Oxnard Plain in an effort to address all salinity concerns within the watershed.	proposed Alternative with the Regional Board at the hearing on August 3, 2006 hearing. However, Regional Board staff is concerned that source reduction alone may not be sufficient to achieve the chloride load reductions needed to protect beneficial uses, and it does not address all conditions. This alternative, proposed by the Districts, is not accompanied by a detailed analysis showing that agricultural supply and groundwater recharge beneficial uses can be supported.
26.126	Districts (Attachment B #57)	6/19/06	The Regional Board Staff Report indicates that with acceleration of the date for the Regional Board to consider the SSO, implementation of advanced treatment planning activities can be accelerated and the attainment of the chloride WQO can be accelerated by 3 years. It is unclear how Regional Board staff justifies reducing planning, design and construction schedule from eight years in the existing TMDL implementation schedule to 5.5 years for Alternative 4. The District requests specific information on staff's rationale for reducing planning, design and construction from 8 years to 5.5 years. As noted in Comment Section D, such a schedule is unattainable and unreasonable.	The planning, design, and construction period would not be reduced from 8 years to 5.5 years. Rather, the time to complete the prerequisite special studies would be reduced from 6 to 3 years.
26.127	Districts	6/19/06	The Regional Board Staff Report indicates	5.5 years after effective date of TMDL is

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	(Attachment B #58)		implementation milestones regarding planning and design of advanced treatment in alternative 4 will be included within six months of the Regional Board action; however, the recommended implementation schedule requires these implementation compliance measures 5.5 years after the Effective Date of the TMDL, one year after the Regional Board preparation and consideration of a Basin Plan Amendment.	the completion time for implementation of compliance measures and planning. Planning and design of advanced treatment could be started within six months of the Regional Board action.
26.128	Districts (Attachment B #59)	6/19/06	Also, Regional Board staff acknowledges construction of advanced treatment requires a minimum of 5 years. The proposed Implementation Schedule for Alternative 4 indicates Environmental Impact Report completion 6 years after Effective Date of TMDL and completion of construction of recommended project 10 years after Effective Date of TMDL, a period of 4 years.	Regional Board staff did not acknowledge that construction of advanced treatment requires a minimum of 5 years. The duration for construction provided by MWH (Page 8-393 of Administration Record), which is considered by the District a leading expert in developing cost estimates for water and wastewater treatment technologies, is 3 years.
26.129	Districts (Attachment B #60)	6/19/06	For the numerous reasons discussed in Comment Section D, the District disagrees with The Regional Board Staff Report's finding that triggering planning and design tasks based on GSWI will allow for more timely attainment of WQOs. It should be also noted that the cost for doing such activities is significant with planning costs estimated at $2.5 million and design costs estimated at 10% of total projects. In total, the cost for preplanning and design could	Regional Board will consider a chloride Site Specific Objective (SSO) in the Upper Santa Clara River if warranted, and revisions of wasteload allocations for the Saugus and Valencia Water Reclamation Plants (WRPs) within six months after completion of GSWI. By accelerating the date of Regional Board consideration of an SSO, implementation of advanced treatment planning activities can be accelerated and the attainment of the

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			exceed $37.5 million. The expenditure of such public monies is not justified, given the considerable uncertainty over what the final chloride WLA and objective will be.	chloride WQO can be accelerated by 3 years. Staff finds that pollution prevention alone cannot consistently attain the LRE threshold and that advanced treatment will likely be necessary unless the Regional Board adopts a SSO that is significantly higher than the threshold established by the LRE. Staff finds that the total cost for the extended agricultural study could reach $23.7 million. The cost for preplanning and design of advanced treatment is not significantly higher than the cost for extended study.
26.130	Districts (Attachment B #61)	6/19/06	The Regional Board Staff Report also states, "... advanced treatment will likely be necessary unless the Regional Board adopts an SSO that is significantly higher than the threshold established by the LRE." As indicated previously, the District requests that this statement be clarified to indicate advanced treatment may not be necessary if WQO is applied at point-of-use rather than end-of-pipe.	Staff will clarify this statement to reflect that the finding is based on a WQO that is applied at end-of-pipe. However, staff notes that even if the WQO were applied at point-of-use, the need for advanced treatment may not be entirely obviated. Staff believes that the GSWI will provide additional information to help answer this question.
26.131	Districts (Attachment B #62)	6/19/06	The District projects monthly service fees for the SCVJSS are increasing by between $5 and $8 per month, in part due to costs associated with these TMDL special studies. Furthermore, costs associated with planning	See response to comment 26.122.

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			and design can potentially be as much as $37.5 million, which would result in even higher monthly service fees for the SCVJSS. Therefore, Regional Board staffs assessment that monthly service charges would remain well below state and regional averages is incorrect.	
26.132	Districts (Attachment B #63)	6/19/06	The expenditure of such public monies for planning and design that may not even be necessary and is not justified, given the considerable uncertainty over what the final chloride WLA and objective will be.	Staff finds that such expenditures will occur after a considerable portion of the uncertainty is resolved.
27	Manfiedini	6/19/06	I would not support a rate increase.	Comments noted.
28	Kashay	6/19/06	I believe it would be in the best interest of all parties involved to complete the studies before building a new treatment plant. Please do not subject us to this drastic rate increase without having all the facts.	The proposed schedule did not require building a new treatment plant before all studies are completed. There is no finding that advanced treatment is necessary at this time.
29	Murray	6/19/06	Please don't let this increase go through without proper investigation/research into the proper/acceptable salt levels in our water. I am willing to do my part as a homeowner, but I don't feel an increase is justified at this time. We have already turned off our salt treatment tank at home, What more can we do?	Comments noted.
30	Camenoon	6/19/06	Please conduct some studies on water issue and resolve them.	Comments noted.
31	O'Brien	6/19/06	$350 million is a lot of money. Please let	The proposed schedule did not require

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			Sanitation Dept. finish their survey before you decide on this.	building a new treatment plant before all studies are completed. There is no finding that advanced treatment is necessary at this time. The planning cost of $2.5 million is much less than the cost for extended agricultural study.
32	Jaffe	6/19/06	I encourage the board to not accelerate the chloride studies. The community has made progress in lowering chloride levels and needs the time to continue. Let public education work.	See response to comment 3.1.
33	Van Ausdall	6/19/06	The SCB Community has been very proactive to educate the public to d/c chloride water softeners. A continues education program over an experience water treatment plant seems like the best course.	Comments noted.
34	Happer	6/19/06	This community has been working hard for a long time to protect the Santa Clara River. Don't rush to poor judgment.	Comments noted.
35	Bradley	6/19/06	The Regional Water Board should allow the Sanitation to continue its efforts in reducing chlorides in the Santa Clara River-it is working! The cost of a De Saltination is too costly and no guarantee of success.	The Regional Board supports the District to continue its efforts in reducing chlorides in the Santa Clara River. The advanced treatment is the ultimate way to guarantee success.
36	Smisko	6/19/06	I am concerned that the RWQCB is going back on an agreement, which sets a bad precedent. The RWQCB should not shorten the TMDL schedule.	Regional Board did not go back on an agreement. The Settlement Agreement does not limit the authority or discretion of the Regional Board in acting pursuant to the Porter-Cologne Act, the Clean Water

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				Act, and other applicable laws. Staff supports shortening the TMDL schedule.
37	Williams	6/19/06	It worries me that the Waterboard is looking at back tracking an agreement. We need the time promised to continue the lowering of Chloride. Keep the schedule do not change the TMDL.	See response to comment 36.
38	Palmieri	6/19/06	Thank you to the City of Santa Clarita for paying attention and taking action against chlorides. Keep the current chloride TMDL schedule.	Comments noted.
39	Kaneshin	6/19/06	The sanitation company needs to be allowed to finish their study in the chlorides in the water.	See response to comment 3.1. The proposed TMDL schedule allows the District to finish their studies.
40	Curtin	6/19/06	I would like more thorough research before quickly building an expensive plant if it's not necessary.	See response to comment 3.1. The proposed schedule did not require building a new treatment plant before all studies are completed.
41	Dowler	6/19/06	Let's not jump the gun on this. We need to first the study and then make a determination.	See response to comment 3.1. The proposed TMDL schedule allows the District to finish their studies before making the final decision on whether advanced treatment is necessary.